UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1994/714
16 June 1994

ORIGINAL: ENGLISH

LETTER DATED 16 JUNE 1994 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

The members of the Security Council have considered your reports (S/1994/529 and Add.1) on the situation in Abkhazia, Georgia. They have noted that discussions were held in New York between the Secretariat and a delegation from the Russian Federation concerning the possible role of United Nations military observers and their relationship with the Commonwealth of Independent States (CIS) peace-keeping force envisaged in the Agreement on a Cease-fire and Separation of Forces signed by the parties in Moscow on 14 May 1994 (S/1994/583, annex I).

The members of the Security Council regard these discussions as a positive step. The members of the Council also note your intention, as a first step and in consultation with the parties, to increase the number of military observers of the United Nations Observer Mission in Georgia (UNOMIG) up to 55 as authorized by the Council in its resolution 892 (1993) of 22 December 1993. The members of the Council note your ideas for a possible mandate for an expanded UNOMIG, set out in paragraph 7 of your report (S/1994/529/Add.1), and your provisional assessment of the strength of UNOMIG that might be required to perform this task.

The members of the Security Council, noting again the conclusions of the ministerial meeting of the Conference on Security and Cooperation in Europe (CSCE) held at Rome on 30 November and 1 December 1993 (S/26843), also welcome the continuing cooperation between the United Nations and CSCE in this matter.

The members of the Security Council would be grateful if the Secretariat could pursue its discussions with the parties, the Russian Federation and representatives of the CIS peace-keeping force in order to arrive at clear understandings on particular points of relevance to the Council's decision on a further increase in the strength and change in the mandate of UNOMIG, including the arrangements which would exist on the ground for coordination between UNOMIG and the CIS peace-keeping force; the period to be set for the mandate of the CIS peace-keeping force; assurances from the parties concerned of full freedom of movement for UNOMIG in the performance of its mandate, both within the zone of operations of the CIS peace-keeping force and in other relevant parts of the territory of Georgia; and the time-frame foreseen for the return of refugees and displaced persons.

On this basis, and following the further urgent consultations that you propose with the parties and the Russian Federation, the members of the Council stand ready to consider your detailed recommendations on the expansion of UNOMIG along the lines of the ideas set out in paragraph 7 of your report (S/1994/529/Add.1).

(Signed) Salim Bin Mohammed AL-KHUSSAIBY
President of the Security Council

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1994/715
16 June 1994

ORIGINAL: ENGLISH

SECOND PROGRESS REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION UGANDA-RWANDA

I. INTRODUCTION

1. The present report is submitted in pursuance of paragraph 2 of Security Council resolution 891 (1993) of 20 December 1993, by which the Council decided to extend the mandate of the United Nations Observer Mission Uganda-Rwanda (UNOMUR) for a period of six months from 22 December 1993 to 21 June 1994. The present report covers the period since my last report to the Security Council on UNOMUR of 15 December 1993 (S/26878).

2. UNOMUR was established with the adoption of resolution 846 (1993) by the Security Council on 22 June 1993. The mission was mandated to deploy on the Ugandan side of the border with Rwanda in order to verify that no military assistance reached Rwanda, focusing primarily in that regard on transit or transport, by roads or tracks which could accommodate vehicles, of lethal weapons and ammunition across the border, as well as any other material that could be of military use.

II. DEPLOYMENT AND ACTIVITIES

3. As of 3 June 1994, UNOMUR consisted of 81 military observers from the following countries: Bangladesh (20), Botswana (9), Brazil (13), Hungary (4), Netherlands (10), Senegal (10) Slovakia (5) and Zimbabwe (10). In addition, the mission included 11 international civilian and 7 locally recruited staff performing a variety of substantive and administrative support tasks.

4. The drastic change in the overall situation in Rwanda, sparked by the deaths of the presidents of Rwanda and Burundi in a suspicious plane crash in Kigali on 6 April, and resulting in the resumption of hostilities in that country, affected not only the operations of the United Nations Assistance Mission for Rwanda (UNAMIR), but also UNOMUR's monitoring operations on Uganda's border with Rwanda. Prior to the resumption of hostilities in Rwanda, UNOMUR had restricted its monitoring activities in Uganda along the area of the border with Rwanda which was controlled by the Rwandese Patriotic Front (RPF). As pointed out in my report of 15 December (S/26878), UNOMUR's deployment and

operational activities mainly covered two major and three secondary crossing sites stretching from Sabinio volcano in the west to Lubirizi in the east on the Ugandan side of the border (see attached map).

5. Following the resumption of the civil war in Rwanda, RPF was able to gain control of the entire border with Uganda. It therefore became evident that in order for UNOMUR to fulfil its mandate, the mission would be required to extend its observation and monitoring activities along the whole border, up to Mirama Hills on the eastern part of the Ugandan side of the border, a distance of some 170 kilometres from Sabinio volcano to the West. Moreover, it was not possible for UNOMUR to investigate in a credible manner the increasing number of allegations being received that troops and support equipment were crossing the Ugandan border into Rwanda without monitoring the entire border. While UNOMUR's movements to the areas in the north-east and west beyond the mission's original area of operation were not restricted, attempts were made to restrict UNOMUR patrols eastward in the Mirama Hills area. After discussions between the UNOMUR Acting Chief Military Observer and the Ugandan military authorities at Kampala on 2 May, UNOMUR received clearance to monitor this area by both ground and air patrols. Accordingly, with effect from 14 May 1994, UNOMUR has been able to monitor the entire border between Uganda and Rwanda.

6. UNOMUR carries out its tasks essentially through patrolling, monitoring and surveillance of the whole stretch of the operational area, involving both mobile and fixed observations as well as on-site investigations of suspected cross-border traffic. Since the resumption of the fighting in Rwanda, UNOMUR's surveillance activities have been especially vigorous and have enabled it to investigate to allegations of arms flows into Rwanda through its border with Uganda.

7. The recent extension of UNOMUR's monitoring activities to the whole border has necessitated the readjustment of tasks and the reassignment of military observers in the operational area. Consequently, the headquarters staff at Kabale has been reduced from 14 to 9 currently to permit the creation of additional monitoring teams, with the remaining headquarters personnel also participating, as appropriate, in patrolling and other monitoring assignments. To help meet the increased operational requirements, UNOMUR currently maintains seven observation posts and checkpoints manned on a 24-hour basis, as opposed to two previously.

8. In carrying out its monitoring mandate, UNOMUR is currently performing a number of specific tasks, including, inter alia:

(a) Fixed 24-hour manned observation through the two main crossing sites at Katuna and Cyanika and the secondary crossing points at Bigaga, Lubirizi, Kafunzo, Kashekye and Mirama Hills;

(b) Random day and night mobile patrols to cover routes or tracks which require surveillance;

(c) Random day and night foot patrols covering areas which also require surveillance but are inaccessible by mobile/vehicle patrols;

(d) Random aerial day patrols involving the airlift by helicopters of military observers into areas of high elevation for a clearer view and observation of routes leading to the border;

(e) Random aerial day surveillance by helicopter of the border areas and routes. Such surveillance is often conducted by mission commanders and staff to monitor movements along the border and routes leading to the border.

9. The arrival in the mission area of three helicopters in early April has strengthened UNOMUR's overall operational capacity. However, ground features and weather conditions do not permit safe operations of civilian-contracted helicopters at night. Therefore, the helicopters are currently used primarily for daytime aerial surveillance, patrolling and reconnaissance. They are also used for emergency medical evacuation purposes and for rapid deployment of military observers to selected remote and difficult-to-reach observation posts to monitor suspected crossing sites by day or night.

10. I am glad to report that, in general, UNOMUR's activities in pursuance of its mandate have been effective. In my last report to the Council (S/26878), I noted that any clandestine cross-border traffic had decreased appreciably and that, at that time, movement was restricted and only along well-used routes across the border. I furthermore reported that there was no evidence of any significant traffic in armaments. Despite the resumption of hostilities in Rwanda, the situation of cross-border traffic from Uganda into Rwanda does not appear to have changed during the reporting period, and no movement of armaments or armed personnel has been detected by UNOMUR.

III. FINANCIAL ASPECTS

11. As indicated in my report on the financing of UNAMIR (A/48/837), the administrative costs related to the military observers and civilian personnel of UNOMUR, with effect from 22 December 1993, are included in the cost estimates for the maintenance of UNAMIR. The General Assembly, by its resolution 48/248 of 5 April 1994, authorized the Secretary-General to enter into commitments at a monthly rate not to exceed $9,082,600 gross per month for the period from 5 April to 31 October 1994, for the maintenance of both operations. Should the Council decide to continue the mandate of UNOMUR as recommended in paragraph 14 below, the resources required for its maintenance would be obtained from the level authorized by the Assembly in its resolution 48/248.

IV. OBSERVATIONS AND RECOMMENDATIONS

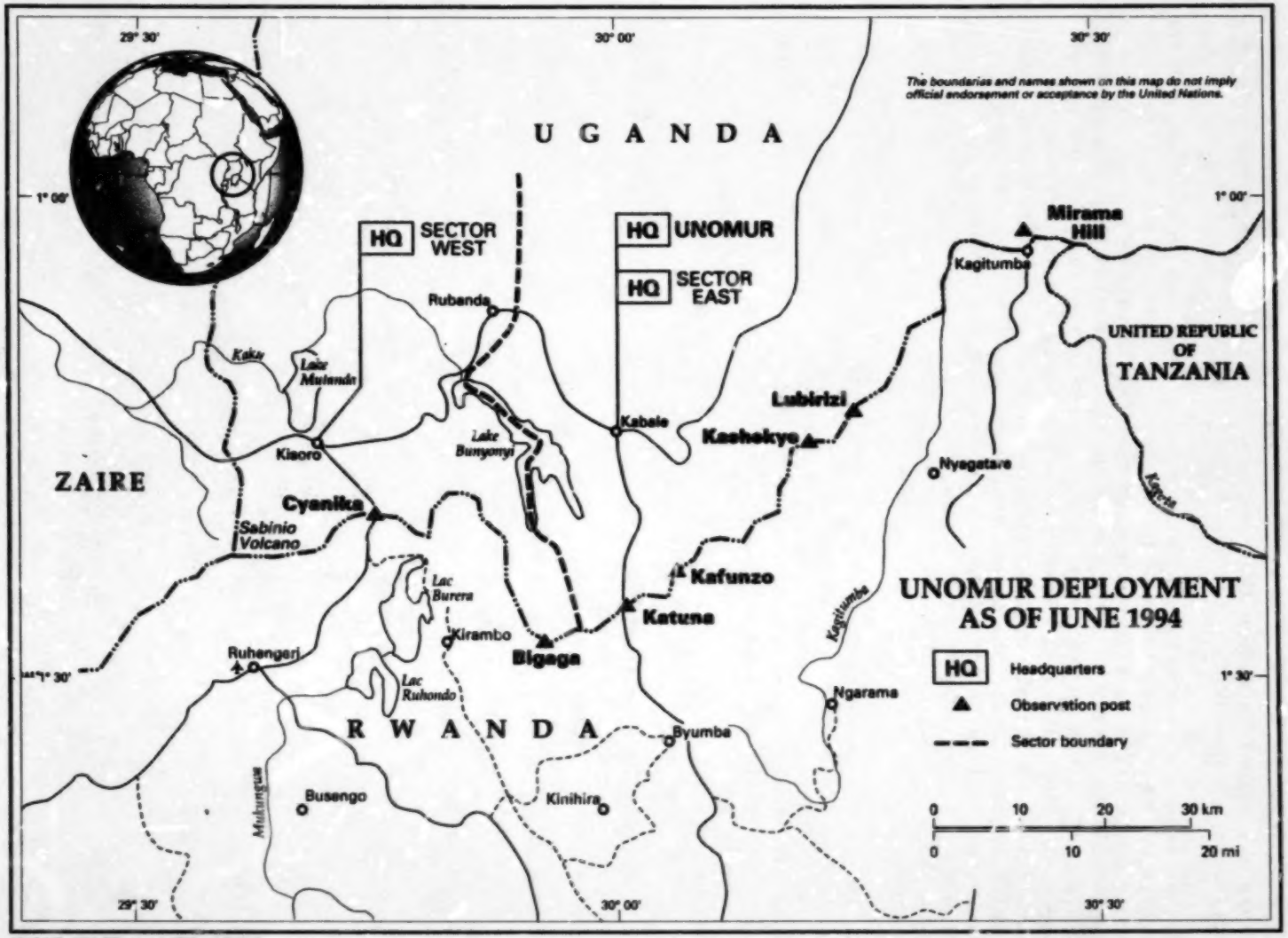
12. It is now nearly a year since the Security Council decided to establish UNOMUR and almost 10 months since the mission was fully deployed in its operational area. UNOMUR was intended to create an atmosphere conducive to a negotiated settlement of the Rwandese conflict and to underscore the importance that the international community attaches to the maintenance of peace and security in the region. This observer mission has continued to be a factor of stability in the area and has been particularly critical in recent months, as

UNAMIR has sought to defuse tensions resulting from the resumption of hostilities in Rwanda.

13. As a result of the dramatically changed situation in Rwanda, both the priorities and the requirements of the international community have evolved. It should be recalled in this connection that the Security Council, by its resolution 918 (1994) of 17 May 1994, decided to expand the strength of UNAMIR to 5,500 all ranks to enable it to contribute to the security and protection of persons at risk in Rwanda and to provide security and support for the distribution of relief supplies and humanitarian relief operations. Under resolution 918 (1994), the Council, acting under Chapter VII of the Charter of the United Nations, also decided to place an embargo on the delivery of arms, ammunition and related material to Rwanda. In addition, the Council established a Committee to coordinate with Member States on the action taken by them to implement the embargo.

14. Under these circumstances, there appears to be little rationale for monitoring one of Rwanda's borders and not the others. At the same time, however, the issue of arms flows is one of the major areas of concern in the cease-fire talks, which are being held under the auspices of UNAMIR. As UNOMUR's activities allow UNAMIR to address, at least to some degree, the issue of outside interference in the Rwandese civil war, I believe that UNOMUR should continue its monitoring activities until an effective cease-fire has been established. I therefore recommend that UNOMUR's mandate be renewed for a period of three months. During this period, the number of military observers would be reduced by phases, adjusting to operational requirements. UNOMUR would be closed down by 21 September. I would report on the completion of this process to the Security Council.

15. In conclusion, I would like to express my appreciation to the Government of Uganda for the cooperation and assistance it has extended to UNOMUR. I also wish to pay tribute to both the military and the civilian personnel of UNOMUR for the professionalism and dedication with which they have carried out their tasks.



MAP NO. 3778 REV. 3 UNITED NATIONS
JUNE 1994

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1994/716
16 June 1994

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN TAJIKISTAN

1. In my report to the Security Council dated 5 May 1994 (S/1994/542), I informed the members of the Council about the situation in Tajikistan and the results of the first round of inter-Tajik talks on national reconciliation, under United Nations auspices, which were held in Moscow from 5 to 19 April 1994. The present report contains an account of subsequent developments.

I. THE SITUATION IN TAJIKISTAN

2. The situation in Tajikistan and, particularly, on its border with Afghanistan remains tense. Armed opposition groups engage in cross-border infiltration and fighting with Government forces on a daily basis. Another alarming dimension is the danger of confrontation in the country along ethnic lines. The recent violent clashes in the Gissar Valley between Uzbeks and Tajiks, together with large-scale confrontation between Uzbek and Tajik forces in Afghanistan, could spill over to other Central Asian States, with unpredictable consequences for the whole region.

3. I am also concerned at what appears to be an assassination campaign against Russian military personnel in Tajikistan. During the last five days, seven Russian officers have been killed in Dushanbe alone. Such terrorist acts are deplorable. They could further aggravate the explosive situation in the country and undermine efforts to reach a political solution.

4. The economic situation in Tajikistan also continues to deteriorate. Many industrial enterprises are at a standstill. The economic infrastructure and the distribution system are paralysed, not least because money circulation is strangled by the scarcity of rouble bank notes. The population is suffering from shortages of food, medicine and other necessities. This economic crisis and the continued violence hinder the efforts of the Government and the Office of the United Nations High Commissioner for Refugees to reach an early solution to the refugee problem.

5. In this context, the first working meeting of the Joint Commission on problems relating to refugees and displaced persons from Tajikistan was a positive development. During that meeting, held in Moscow on 1 June 1994 under

the chairmanship of representatives of the Office of the United Nations High Commissioner for Refugees, the Joint Commission worked out its rules of procedure and identified three broad objectives for future activities, including enumeration and registration of the Tajik refugees in the Commonwealth of Independent States (CIS) and other countries, provision of humanitarian assistance to them, and cooperation with the national immigration services of CIS and other countries. The second meeting of the Joint Commission is scheduled for late June 1994.

II. CONSULTATIONS ON THE SECOND ROUND OF INTER-TAJIK TALKS

6. In connection with the preparation of the second round of inter-Tajik talks, Ambassador Ramiro Piriz-Ballon, my Special Envoy for Tajikistan, visited Teheran from 12 to 15 May 1994 for consultations with leaders of the Tajik opposition and the Iranian authorities. He had extensive discussions with Mr. A. Turojanzodah, First Deputy Chairman of the Islamic Revival Movement, and head of the delegation of the opposition at the inter-Tajik talks; Mr. O. Latifi, Chairman of the Coordinating Committee of the Democratic Forces of Tajikistan in the CIS countries; Mr. T. Abdujabar, Chairman of the "Rastokhez" People's Movement; and other leading opposition personalities. He also had talks with Mr. A. Velayati, Minister for Foreign Affairs of the Islamic Republic of Iran, and other senior officials of the Iranian Ministry of Foreign Affairs.

7. Mr. Marrack Goulding, Under-Secretary-General for Political Affairs, visited Dushanbe from 27 to 28 May 1994 and had extensive talks about preparations for the second round of inter-Tajik talks with Head of State E. Rakhmonov, Prime Minister A. Samadov, Foreign Minister R. Alimov and other senior members of the Tajik leadership. In addition, Mr. Goulding had a meeting in Tashkent with President Karimov of Uzbekistan, who expressed his support for the United Nations peace-making efforts in Tajikistan.

8. In view of these developments, I instructed my Special Envoy to invite the Tajik parties to the second round of talks in Teheran on 18 June 1994. I also instructed him to inform the Governments of Afghanistan, the Islamic Republic of Iran, Kazakhstan, Kyrgyzstan, Pakistan, the Russian Federation and Uzbekistan and Conference on Security and Cooperation in Europe (CSCE) officials, who will again attend the talks as observers.

III. OBSERVATIONS

9. Mr. Piriz-Ballon's talks in Teheran and Mr. Goulding's in Dushanbe have cleared the way for the second round of inter-Tajik talks, which is to start on 18 June 1994 in Teheran, and established their main objective - an agreement on the cessation of hostilities, which would confirm that a viable political process of national reconciliation had been launched. In this event, I would be ready to recommend that the Security Council respond positively to any reasonable and practicable request of the Tajik parties for international monitoring mechanisms.

10. In these circumstances, it is my intention to extend the current mandate of my Special Envoy, which expires at the end of June 1994, for another three months until the end of September 1994. I believe it will also be necessary to extend for the same period the mandate of the small group of United Nations officials currently in Tajikistan. In view of the encouraging progress achieved so far in establishing political dialogue between the Tajik parties concerned, their functions will include:

(a) Providing essential, substantive and other support for the activities of the Special Envoy;

(b) Assessing the military and security situation in Tajikistan;

(c) Providing political liaison and coordination services, which could facilitate prompt humanitarian assistance by the international community;

(d) In coordination with the CSCE mission in Tajikistan, monitoring the human rights situation and providing advisory services to the relevant governmental bodies.

11. The inter-Tajik political dialogue gives the Tajik people the chance to prevent further confrontation and bloodshed in their country. In this connection, I appeal to the Tajik parties to show restraint and to refrain from any action that could obstruct the process of negotiations. I also count on the continued cooperation and assistance of regional and other countries in our efforts to make political dialogue irreversible and to restore peace and tranquillity in Tajikistan.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1994/717
16 June 1994

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE QUESTION OF SOUTH AFRICA

I. INTRODUCTION

1. On 14 April 1994, I submitted a report to the Security Council on the situation in South Africa and the work of the United Nations Observer Mission (UNOMSA) in that country (S/1994/435). The present report, also submitted pursuant to Security Council resolutions 772 (1992) and 894 (1994) of 17 August 1992 and 14 January 1994, respectively, will be, happily, my last on the question of South Africa, as regards the work of UNOMSA, and the transitional process in that country.

II. THE TRANSITIONAL PROCESS IN SOUTH AFRICA

2. For obvious reasons, my report will focus, this time, on the electoral mandate of UNOMSA and on the breathtaking developments that took place in South Africa during the month of April 1994, culminating in the holding of elections from 26 to 29 April 1994, the proclamation of the official results on 5 May 1994 and the memorable inauguration of the new President of the Republic of South Africa, Mr. Nelson Rolihlala Mandela, on 10 May 1994.

3. In my previous report I spoke of the mixed feelings of hope and fear shared by South Africans of all backgrounds and foreign observers alike as the date of the election neared: hopes arising from the determination of the main political players to see the process through to its logical conclusion, a substantially free and fair election, and fears because violence continued at an ever-increasing level and some significant political forces still refused to join the peace and reconciliation process and participate in the election.

4. The fears peaked on Monday, 28 March, when a public march organized in Johannesburg by Inkatha Freedom Party (IFP) followers in support of the demands of Zulu King Goodwill Zweletheni for a constitutional provision concerning the role of the King in the Interim Constitution ended in bloodshed, with over 50 people dead and 250 wounded.

5. The Security Council, concerned by the deplorable events in Johannesburg, held informal consultations on the subject. Consequently, the President of the

Council for that month, His Excellency Mr. Jean-Bernard Mérimée, Ambassador of France, made the following statement on behalf of the Council members on 29 March 1994:

"We deplore in the strongest possible terms yesterday's violence in Johannesburg, which is clearly aimed at derailing the South African transition process.

"Intimidation, violence and provocation cannot be permitted to deny the South African people their opportunity to join the community of democratic States.

"We call upon all the people of South Africa to eschew violence and hope that all parties will participate peacefully in the elections.

"The Council reiterates the importance it attaches to the holding of the first general, free and democratic elections in South Africa on 27 April 1994, as previously agreed upon.

"The Council considers that this question is of the utmost importance; and is determined to follow the election process closely."

6. In Johannesburg, my Special Representative and his colleagues the heads of the missions of the Organization of African Unity (OAU), the Commonwealth and the European Union (EU) called a press conference and made the following joint statement on 29 March:

"The international observer missions of the United Nations, the Organization of African Unity, the Commonwealth and the European Union deplore, in the strongest possible terms, the needless violence and loss of life in Johannesburg yesterday. The pain of these deaths is felt all the more strongly because they could have been prevented. The failure to plan adequately for yesterday's march, to define routes and to take steps for effective crowd control contributed to the violence. The tragic violence in Johannesburg, and events throughout the country in recent weeks, and even today, compel us to speak out.

"First, we must call for reason and responsibility on the part of political leaders. This means they must carry the message - and <u>actions</u> - of peace and democracy to all corners of the communities they claim to serve and represent. Failure by political leaders and security forces to act together to prevent a senseless slaughter is inexcusable. In this, the political parties, the Government and the security forces - at the community level and at the national level - share responsibility.

"Second, we must express our deepening concern over the impact of 'war talk', threats and challenges that are calculated to unleash emotions in the population. Such language, in the current critical stage, threatens the very future of this country.

"Third, we have repeatedly deplored the carrying of weapons in public demonstrations. The consequences of this practice were demonstrated only

too clearly again yesterday. The time for words on this issue is past. Consequently, we strongly urge political leaders not to permit any marches that are not properly planned and in which their supporters are carrying weapons.

"Violence obviously frustrates the work of the Independent Electoral Commission. The IEC is already straining under the burden placed upon it, and the pressure increases daily. It is labouring, despite repeated political reverses and practical obstacles, to establish in time the infrastructure needed to put the vote within reach of all South Africans who wish to exercise that right. The IEC is also seeking to foster the climate necessary to guarantee that the election can be considered free and fair.

"In the current context, we call on President de Klerk, Mr. Mandela and Chief Buthelezi to find at their meeting tomorrow, 30 March, a way out of the present crisis and to create conditions for a peaceful transition.

"International observers are present throughout South Africa, providing us with detailed reports of what is happening in areas not always reached or covered by the media. We are, in a very real sense, side by side with South Africans. Observers were also present in the streets of Johannesburg yesterday, providing first-hand reports as the situation deteriorated. We are willing to discuss our observations with all parties which, in the interest of peace, are seeking to understand how yesterday's events unfolded.

"The international observer missions are in this country as sympathetic witnesses. But we are not passive witnesses. We are working closely with South Africans from the ground level up, in the hope of reinforcing their efforts to bring about democracy in their country. We continue to work closely with the national peace structures and all others engaged in initiatives that favour peace and dialogue. As our mandate sets forth, we are providing whatever support and assistance we can to South Africans who are committed to peace and democracy.

"We do this in cooperation with the Independent Electoral Commission, with leaders and members of all political parties and groups, with the Government and the Transitional Executive Council. Our common goal is to provide moral support and reassurance to South Africans who are committed to peaceful change through democratic means. Free political activity and a willingness to respect the right of others to hold opinions different from one's own are prerequisites for peace.

"The task of national reconciliation becomes more difficult with every death related to political violence. Reconciliation does not begin with elections, nor does it depend solely on initiatives at the national level. We appeal also to local and provincial leaders - be they traditional leaders or political representatives - to consider the lives of their people and their children before they embark on any action which could lead to further violence."

7. The events in Johannesburg contributed to increasing the tension - already very high - in KwaZulu as well as in the East Rand area of the Pretoria-Witwatersrand-Vereeniging (PWV) province. The political leaders, nevertheless, remained undeterred in their determination that dialogue and constitutional negotiations must be kept going at all costs and that, somehow, solutions must be arrived at to allow the holding of a legitimate, credible and all-inclusive election. Thus, again and again, State President de Klerk met with King Goodwill Zwelethini or Chief Mangosuthu Buthelezi or both. Continuously, Mr. Mandela offered new suggestions and put forward new ideas. Similarly, the African National Congress (ANC) and the Government unceasingly engaged the IFP, the right wing and the homeland leaders, in various talks to sort out differences, to address concerns and to come to new compromises.

8. However, the constitutional negotiations were further complicated by King Zwelethini's call on 18 March for the restoration of the Zulu kingdom. A meeting planned for that day between Mr. Mandela and the King to address the latter's concerns was cancelled, amid fears for the safety of Mr. Mandela. Faced with continued defiance on the part of KwaZulu authorities, on 23 March the Transitional Executive Council (TEC) authorized its management committee to take all steps necessary to ensure free and fair elections in KwaZulu. However, the KwaZulu Legislative Assembly rebuffed an attempt by Judge Johann Kriegler, Chairman of the IEC, on 24 March to secure the homeland administration's cooperation with the Commission in its efforts to prepare for and conduct the election. These developments, coupled with the upsurge in violence in KwaZulu/Natal following the events in Johannesburg, were probably decisive factors in the decision taken on 31 March by State President F. W. de Klerk to proclaim, with TEC support, a state of emergency in the province.

9. Another noteworthy political development was that the situation with respect to the so-called independent homelands dramatically changed as elections neared. The Bophuthatswana administration led by Lucas Mangope had repeatedly rejected participation in the elections. The result of the Mangope administration's intransigence was a popular uprising, accompanied by many deaths and extensive destruction of property, which culminated in the regime's overthrow. The TEC and the Government moved quickly to take over administration of the territory in order to prevent further bloodshed, restore order and prepare for the elections. The Bophuthatswana crisis reverberated in other homelands where demands and concerns were similar. Brigadier-General Oupa Gqozo, the leader of Ciskei, resigned under pressure on 22 March and was replaced by administrators appointed by the Government and the TEC.

10. A further meeting between President de Klerk, Mr. Mandela, Chief Buthelezi and King Zwelethini took place on 8 April in an attempt to reach an all-inclusive political settlement and to secure IFP participation in the elections. No breakthrough was achieved, however, and violence continued at an alarming level in KwaZulu/Natal.

11. The agreement reached in March between Mr. Mandela and Chief Buthelezi to seek foreign help through international mediation to resolve the political impasse was revived and a team of mediators including Dr. Henry Kissinger and Lord Carrington was hastily called in. They arrived in the country on 12 April and were scheduled to start work the next day, but it was discovered that there

was no agreement between the parties on the terms of reference for the talks. The election date emerged as the central issue, with the IFP demanding that the mediators address the question of whether the election should be held on the appointed date or postponed, while the Government and the ANC firmly held that the date could not be changed and that it should, therefore, remain outside the field of competence of the mediators.

12. Not having made any progress, the mediators left, but again the South African leaders refused to give up. A further, intense round of consultations took place in which Professor Washington Okumu, from Kenya, participated. Patience and determination at last paid off and, at a meeting on 19 April, the Government, the ANC and the IFP, led by President de Klerk, Mr. Mandela and Chief Buthelezi, reached agreement providing for:

(a) IFP participation in national and provincial elections to be held on the scheduled dates of 26, 27 and 28 April;

(b) Entrenchment of safeguards for the Zulu monarchy in the provincial constitution of KwaZulu/Natal;

(c) International mediation to address outstanding issues relating to the Zulu monarchy and regional powers, after the elections.

13. In a statement issued on 19 April, I welcomed the breakthrough agreement reached between State President F. W. de Klerk, ANC President Nelson Mandela and Chief Mangosuthu Buthelezi. I also addressed letters to the three leaders, congratulating them and expressing the hope that this historic decision would ensure that the elections, in which all South Africans would be able to participate, would take place later in the month under calm and peaceful conditions.

14. On 23 April, after protracted negotiations, the Government, the ANC and General Constand Viljoen, acting on behalf of the Freedom Front, signed an accord that provided for the establishment of a Volkstaat Council and further negotiations after the elections to discuss the feasibility of a volkstaat. This move was aimed at encouraging the right wing to participate in the elections and to pursue their objectives through peaceful negotiations.

15. The Multi-party Negotiating Council approved the agreement on 24 April. It also passed a resolution committing all parties to accept the election results. Parliament reconvened on 25 April and adopted amendments to the Interim Constitution and the Electoral Act, 1993, thus giving legislative effect to the agreement.

16. The IFP decision to participate in the elections resulted in an immediate and dramatic reduction in violence, and, for a while, the country experienced reduced tension and relative calm.

17. In all, a total of 19 parties participated in the elections at the national level. The Azanian People's Organization, the Black Consciousness Movement, the Conservative Party, and the Afrikaner Volksfront did not participate.

III. DEPLOYMENT AND ACTIVITIES OF OBSERVERS OF THE UNITED NATIONS OBSERVER MISSION PRIOR TO THE ELECTIONS

18. The operational plan contained in my report of 10 January 1994 to the Council (A/48/845-S/1994/16 and Add.1) called for the deployment of almost 2,000 United Nations observers during the election period. Following the approval by the General Assembly, in its resolution 48/230 B of 14 February 1994, of the financing for the expansion of UNOMSA, the staged deployment of observers proceeded rapidly. By the end of March 1994, 500 observers were deployed in a total of some 60 IEC operational locations. Also, it should be noted that bilateral agreements were concluded between the United Nations and Finland, the Netherlands, Sweden and Switzerland for the provision by their Governments of electoral observers for UNOMSA.

19. The final phase of deployment came during the period from 17 to 20 April 1994, when a total of 1,485 additional international electoral observers joined UNOMSA. The Joint Operations Unit developed the electoral deployment plan in consultation with the other intergovernmental observer missions, taking into account their additional 542 international electoral observers (OAU 102; Commonwealth 118; and EU 322). During the elections, observers fielded by the intergovernmental observer missions working in coordination with UNOMSA totalled 2,527 (including the Mission's own 1,985 observers).

20. Under its expanded mandate in accordance with Security Council resolution 894 (1994), UNOMSA continued its activities relating to peace promotion and the reduction of violence. Under the direction of the Mission's Peace Promotion Division, observers continued to assist and cooperate with the National Peace Accord structures. As the electoral period progressed, the Division expanded its network of contacts to include the Monitoring Directorate of the IEC.

21. In the run-up to the elections, observers' activities expanded to include observing and reporting on voter education, issuance of temporary voter's cards, and on IEC attempts to select sites for and establish voting and counting stations. The UNOMSA peace promotion activities facilitated the Mission's electoral phase by providing access to grass-roots contacts and non-governmental organization networks built up during the Mission's first 16 months in the country. Information provided by UNOMSA observers to IEC monitors, both before and during the elections, allowed the latter constantly to address and resolve many problems.

22. UNOMSA officials continued to interact with political parties, attend rallies and other public events, investigate instances of intimidation and related complaints and work closely with the IEC and national, regional and local peace structures. Weekly meetings continued, at the level of heads or deputy heads of mission, between the intergovernmental observer missions and the National Peace Secretariat, but increasing emphasis was necessarily placed on interaction with the structures of the IEC. This took place both formally, through weekly meetings between the Coordinating Committee and the Chairman of the IEC and with directorate-level IEC officials and Commissioners at meetings

of the Technical Task Force, and informally, through constant contacts conducted by my Special Representative, his Deputy and senior staff of the Electoral Division.

23. The frequency and level of violence, particularly in the townships of KwaZulu/Natal and PWV, reflected the continued uncertainty during the final stages of the negotiations among the political parties. The Human Rights Commission of South Africa recorded 450 politically related killings during the month of April - at least 311 in KwaZulu/Natal alone, the highest monthly toll recorded in more than four years. Although ANC-IFP rivalry was generally acknowledged as the prime cause of the killings, it failed to explain all incidents of violence. Many suspected that much township violence was orchestrated by an unknown "third force" linked to extremists seeking to derail the election process.

24. A Commission of Inquiry regarding the Prevention of Public Violence and Intimidation (Goldstone Commission) report of 18 March and a TEC report released on 29 March both implicated top South African police officers and members of the IFP in gun-running and political violence. Both reports appeared to confirm suspicions concerning the existence of a "third force" and its involvement in instigating political violence.

25. A series of initiatives by the Government, the ANC and mediators aimed at including the IFP in the process, as noted earlier, resulted in a breakthrough a week before the elections when, on 19 April, the IFP announced that it would participate in the elections. With this announcement, there was an immediate and dramatic reduction in violence. Months of tension throughout the country particularly in the warring townships of KwaZulu/Natal and PWV, eased perceptibly and levels of violence dramatically dropped.

26. Within days, however, concerns about a potential resurgence of violence were heightened when a car bomb exploded in Johannesburg near ANC headquarters on 24 April, marking the start of a cross-country spate of bombings. Some 21 people died in these attacks and some 200 were injured.

27. Tension was high, and anonymous phone calls to various radio stations threatening that more was to come and that what would happen next would make the bombs of the last few days look like a picnic did not help matters. On 26 April, the day of special voting, a bomb went off at Johannesburg Airport, injuring a few people. Luckily no one was killed, although extensive damage was caused to property.

28. There was general concern about security and intimidation. Several questions were on everyone's mind: Would people be intimidated, stay home and refuse to vote? What would the reaction be if, as a result of the problems the IEC might not have solved by election day, some polling stations did not open on time or, for one reason or another, voting could not proceed as it should?

29. Highly conscious of these difficulties, the heads of the international observer missions called a press conference to appeal to people to remain calm and not to fall into the trap of provocation. Their statement made on 25 April read as follows:

"In less than 24 hours, South Africans of all races will at last be able to exercise the fundamental right to vote - for which they have waited so long.

"For over 18 months we have closely followed the transitional process. We welcome the recent agreements which have made the process more inclusive, allowing people of all political persuasions to participate in the elections. We hope that they will be able to do so peacefully and without any hindrance.

"We deplore in the strongest possible terms the violent incidents in Ulundi on Saturday, in Johannesburg on Sunday and continuing incidents calculated to instil fear in voters.

"We wish to emphasize the paramount importance of peaceful conduct during the voting, both at voting stations and in the surrounding communities. Political leaders and voters themselves should strictly observe the Electoral Code of Conduct. They should refrain from any activity which may disrupt the voting. Communities and security forces should extend the hand of cooperation to one another in the interest of maintaining peace and good order.

"We unanimously believe that in a very short period, the IEC has achieved an extraordinary feat in the work they have done to prepare for these elections. We have shared with the IEC our observations on the electoral process, in order to enhance the Commission's ability to detect and resolve difficulties. The IEC has been receptive to our comments, which we have always offered in a constructive and supportive spirit.

"In view of all the constraints that have complicated the IEC's work, and considering the enormous logistical tasks they face, we appeal to all South Africans to be patient and cooperative if they encounter problems, such as the late opening of voting stations, which might make voting a long and tiring exercise in certain areas.

"Voters should rest assured that their vote is secret. We welcome the pledge affirming the secrecy of the vote by leaders of political parties last week. We wholeheartedly welcome the resolution adopted unanimously on 20 April by the Multi-party Negotiating Council under which the parties pledge that they 'will accept the results of the election and will abide by the decision of the Independent Electoral Commission in respect of the fairness and freeness of the elections'. We urge all parties which have not explicitly endorsed this resolution to do so.

"By adhering to this principle, and acting in the interest of peace, democracy and national reconciliation, the people and political parties of South Africa will send a powerful message of national reconciliation to peoples around the world."

30. The security forces moved quickly and, almost immediately after the blast at the airport, arrested a number of extreme right-wing militants accused of having been amongst those who planted the bombs. No other bombs went off and in

spite of continuing fears of violence during the voting period, South Africans came out in their millions, refusing to be intimidated and determined to make their voices heard; they queued for hours in calm, discipline and dignity, and voted.

IV. ELECTORAL PROCESS AND ORGANIZATION

A. Legal framework

31. The legal framework for the election was set out in the Constitution of the Republic of South Africa Act, 1993; the Independent Electoral Commission Act, 1993; the Electoral Act, 1993; the Independent Media Commission Act, 1993; and the Independent Broadcasting Authority Act (1993). The Constitution of the Republic of South Africa Act and the Electoral Act were both amended significantly in the period immediately preceding the election. Changes to the Electoral Act were facilitated by an amendment adopted by Parliament that empowered the State President to amend the Act by proclamation in consultation with the IEC and the TEC.

32. Under the Independent Electoral Commission Act, 1993, the IEC was to consist of not less than 7 and no more than 11 members, appointed by the State President upon the advice of the TEC. In accordance with the Act, the appointment as members of not more than five persons from the international community was made. The Electoral Act empowered the IEC to introduce regulations having the force of law on a wide range of topics. Several sets of regulations were, in fact, established by the IEC. The mandated objectives of the IEC were:

> "(a) To administer, organize, supervise and conduct, whether directly or indirectly, free and fair elections for the National Assembly and all other legislatures in terms of the Constitution and the Electoral Act;
>
> "(b) To promote conditions conducive to free and fair elections;
>
> "(c) To determine and certify the results of elections, and to certify to what extent such elections have been free and fair;
>
> "(d) To conduct voter education;
>
> "(e) To make and enforce regulations for the achievement of such objects".

33. The Independent Electoral Commission Act provided for an Election Administration Directorate of the IEC, headed by a Chief Director, Administration. The position of Chief Director, Administration, carried a number of statutory functions under the Electoral Act. More generally, the Election Administration Directorate was that part of the bureaucratic structure of the IEC which was responsible for the actual preparation for and conduct of the polling.

34. Provision was also made for an Election Monitoring Directorate of the IEC, headed by a Chief Director, Monitoring. The Chief Director, Monitoring, was required under the Electoral Act to undertake the following tasks, among other things:

(a) To appoint monitors to observe and report on the electoral process, including political meetings, canvassing, advertising and other campaigns. Such monitors were to work directly for the Election Monitoring Directorate;

(b) To register observers (other than official observers from foreign Governments and intergovernmental organizations), and publish guidelines and if necessary a code of conduct binding on all such observers;

(c) To facilitate the role of official observers from Governments and intergovernmental organizations, and provide them with information and assistance to enable them to perform their duties.

35. The Chief Director, Monitoring, was also given extensive powers to investigate electoral offences, to issue and execute search warrants and to undertake mediation between parties to a dispute. Chapters VI, VII and VIII of the Independent Electoral Commission Act established a special hierarchical judicial structure for the purposes of the election, consisting of Electoral Tribunals, Electoral Appeal Tribunals and a Special Electoral Court. An Election Adjudication Secretariat was also created, the role of which was:

(a) To coordinate the functions of the Electoral Tribunals, the Electoral Appeal Tribunals and the Special Electoral Court;

(b) To perform the administrative work connected with the performance of the functions of those Tribunals and that Court.

36. For the purposes of the election, the Constitution divided South Africa into nine provinces. A Provincial Electoral Officer was to be appointed for each province, together with one or more deputies. According to the Electoral Act, the Provincial Electoral Officer would, subject to the control of the Chief Director, Administration, assume responsibility for the administration, organization, supervision and conduct of the election for both the National Assembly and the provincial legislature in the province in respect of which he or she had been appointed.

37. Each province was further divided into electoral districts, corresponding to the existing magisterial districts, and totalling 374 nationwide. For each district, a District Electoral Officer was appointed, together with one or more deputies. The District Electoral Officer was required, subject to the control of the Provincial Electoral Officer, to exercise delegated powers in relation to the administration, organization, supervision and conduct of the election in the electoral district. Within the 374 electoral districts there were to be established voting stations, some of them static and others mobile, each with a presiding officer. Presiding officers were to be in charge of the overall management of their respective voting stations.

38. Each voting station was to have a staff of voting officers working under the direction of the Presiding Officer. The IEC initially estimated that there would be an average of about 18 voting officers per voting station. This figure was subsequently altered in view of the decision to issue separate ballot papers for elections to the National Assembly and provincial legislatures.

39. The counting of the ordinary ballots in districts was to be conducted at counting stations, rather than at voting stations. The IEC anticipated that ordinary votes from an average of about nine voting stations would be dealt with at each counting station. Each counting station was to be managed by a counting officer, assisted by enumerators.

B. Outline of prescribed election procedures

40. Voting was to be by secret ballot. For each registered political party participating in the election, the ballot paper showed the party's name, its distinguishing mark or symbol (in colour), the abbreviated name of the party and a photograph of the leader(s) of the party or, in lieu thereof, a photograph of such other candidate as the party determined. Each voter was entitled to vote for a single registered political party - not individual candidates. The order of the parties on the ballot paper was to be alphabetical, except that the commencing letter of the alphabet was to be determined by lot.

41. No specific registration of voters took place prior to the election. Voters were therefore not required to produce any special voter registration card, but rather had to produce a voter's eligibility document, which, according to section 1 (LXVII) of the Electoral Act, meant:

> "(a) An identity document or a temporary identity certificate issued in terms of the Identification Act, 1986 (Act No. 72 of 1986), or any other applicable law of the Republic, as the case may be;
>
> "(b) A temporary voter's card;
>
> "(c) A reference book issued in terms of the repealed Blacks (Abolition of Passes and Coordination of Documents) Act, 1952 (Act No. 67 of 1952); or
>
> "(d) An identity document referred to in section 13 of the Population Registration Act, 1950 (Act No. 30 of 1950); and
>
> "(e) For the purpose of voting at any foreign voting station, also a valid South African passport".

42. Section 17 of the Electoral Act provided for the issuance of temporary voter's cards. The IEC and the Director-General of the Department of Home Affairs, under the supervision of the IEC, were empowered to issue such cards to persons eligible to vote.

43. The voting period was to consist of one day for "special votes", Tuesday, 26 April 1994, followed by two days for general voting, Wednesday,

27 April and Thursday, 28 April. Wednesday, 27 April 1994, was to be a public holiday. The hours of polling on each voting day were to be from 7 a.m. to 7 p.m. During the election, votes were to be cast at static voting stations (which were to remain open for voting at one place on both general voting days) and at mobile voting stations (which were to move from place to place during the course of the polling period). The District Electoral Officer for the district in which a mobile voting station was to operate was required to make known the locations and estimated times at which the mobile voting station would function during voting day. The Electoral Act also provided that the presiding officer of a mobile voting station, any other electoral officer and any prescribed number of party voting agents might enter upon any land or building with such mobile voting station for the purposes of voting.

44. A voter was entitled to vote at the voting station of his or her choice, and a vote so cast was counted in respect of the province in which the voting station was located. Voters were not subject to any requirement to vote in the province or district in which they were ordinarily resident. There were to be two different ways of recording a vote. It was envisaged that most voters would cast an "ordinary ballot". They were simply to be issued with a ballot paper, which they would then mark and place directly in the ballot box. However, a voter was to be entitled to record a "special vote" (a) if he or she, because of his or her illness or physical infirmity or physical disability or, in the case of a woman voter, her pregnancy, would not be able to attend a voting station at any time during the voting hours on the days specified for general voting; or (b) if he or she was a convicted prisoner or a person awaiting trial being detained, who was not legally excluded from voting.

45. In practice, the distinction between ordinary and special voting became blurred. The Electoral Act had originally provided that the ballot paper marked by a person recording a special vote would not be placed directly in a ballot box, but would instead be placed in a ballot paper envelope, which would then be placed in an outer envelope. The outer envelope would then be handed to the presiding officer of the voting station and placed by him or her in a sealed ballot box. The Act had also provided that a person wishing to record a special vote would be required, by means of a declaration under oath or affirmation in a prescribed form, to satisfy the presiding officer that he or she was entitled to record a special vote, and would not be able to attend a voting station at any time during voting hours on any day for general voting. Prior to the election, the Electoral Act was amended to delete both the requirement to place special votes in envelopes and the requirement for the making of oaths or affirmations in support of applications for special votes.

46. The IEC was also obliged by the Electoral Act to establish such number of foreign voting stations outside the Republic at such locations, including South African diplomatic missions, as it might consider appropriate in order to facilitate the casting of votes by voters who were outside the Republic during the voting period. A voter at a foreign voting station was to be required to specify at the time of voting the province in respect of which his or her vote was to be counted at the election. Each registered political party was to be entitled to appoint voting agents to monitor the conduct of the election at the voting stations and the counting process.

47. A qualified voter who had not voted previously at the election was to be entitled to vote. The question of whether or not a person was a qualified voter was to be determined by his or her producing a voter's eligibility document. If everything appeared to be in order, the person was to be regarded as entitled to vote and was, after showing that he or she had not voted previously at the election, to be allowed to cast an ordinary ballot. The question of whether or not a person had voted before was to be dealt with in a much more basic way. When a person was actually issued with a ballot paper, his or her fingers were to be marked with an indelible dye visible only under ultraviolet light. When a person applied to vote, his or her fingers were to be examined to determine whether they had already been marked with the dye. A voter whose fingers had been marked was not to be allowed to vote.

48. A duly appointed party election or voting agent was to be entitled to object formally to a person's right to vote. The Electoral Act provided that an objection could only be made on the ground (a) that the voter was not the person described in the voter's eligibility document which he or she had submitted; (b) that the voter had already voted in the election; or (c) that the voter was not entitled to vote.

49. Once it had been determined that a person was entitled to vote, he or she was to be issued with a ballot paper. He or she was then to (a) proceed alone to the screened voting compartment within the voting station; (b) mark the ballot paper by placing a cross or other clear mark against the party for which he or she wished to vote; (c) display the ballot paper to a voting officer at the ballot box in such a way that the official mark stamped on the back of the ballot paper could be clearly recognized; and (d) place the ballot paper in the ballot box.

50. A blind or otherwise disabled voter could be assisted in marking his or her vote by (a) a person of his or her choice, who had to be at least 18 years old; or (b) by the presiding officer, in the presence of at least two monitors, South African or international observers or, in their absence, any two other IEC officials. An illiterate voter was to be entitled to be assisted only by the presiding officer, in the presence of at least two monitors, observers or international observers or, in their absence, any two other IEC officials.

51. The counting of ordinary votes cast at static and mobile voting stations was to take place at predetermined counting centres. After the close of the poll on the last day of polling, the ballot boxes containing ordinary ballots were to be sealed and dispatched under guard to the District Electoral Officer or a designated Deputy District Electoral Officer. Votes were then to be counted as follows:

(a) The seals applied to the ballot boxes were to be inspected to confirm that they had not been tampered with. The ballot boxes were then to be opened and the ballot papers they contained were to be check-counted. Any inconsistencies between this ballot paper count and the records provided by the presiding officer were then to be examined, a record of them was to be made and the Chief Director, Administration, was to be informed;

(b) The ballot papers were then to be checked for correct marking. Any invalidly marked ballots were to be rejected and the remaining ballots were then to be sorted according to the party for which the voter voted. The numbers of votes recorded for each party were then to be counted;

(c) After all ordinary and special votes had been counted, the IEC was to determine the total number of votes each registered party had received overall and in respect of each province, and was to determine the number of seats won by each party in the National Assembly and the various provincial legislatures.

C. Problems faced by the Independent Electoral Commission

52. In implementing the procedures described above, the IEC faced a number of severe constraints. Firstly, in contrast to the situation prevailing in many other countries, the IEC had no independent opportunity to advise the Government as to the feasibility of the chosen election dates, since the dates were determined well before the creation of the IEC. The time-frame within which the Commission was expected not only to conduct the elections, but also to establish a large and complex electoral administrative structure, was extraordinarily short and problematical.

53. In addition, a number of significant changes to voting procedures, agreed at the political level after the IEC had commenced its work, created massive practical problems. The most significant of these changes were (a) the decision to use different ballot papers for the National Assembly and provincial legislature elections; and (b) the decision taken, only one week before the election, to include the IFP on the ballot papers. The IEC was also faced with great difficulties in mounting its operation in the former homelands. In Bophuthatswana, the IEC was prevented from undertaking preparatory work in the field until the Mangope regime fell and was replaced by administrators. In Transkei, major problems arose from the fact that Transkei identity documents had not been issued for several years. Finally, in KwaZulu, severe obstacles were placed in the way of the IEC until the IFP decided, only a week before the commencement of the polling, to join the election process.

D. The electoral mandate of the United Nations Observer Mission

54. The mandate of UNOMSA in relation to the observation of the elections was spelt out in paragraphs 56 to 59 of my report of 10 January 1994 (A/48/845-S/1994/16 and Add.1) and agreed to by the Security Council in its resolution 894 (1994) of 14 January. Specifically, in paragraph 57 it was proposed that under its expanded mandate UNOMSA would be required, among other things, to:

> "(a) Observe the actions of the Independent Electoral Commission and its organs in all aspects and stages of the electoral process, verifying their compatibility with the conduct of a free and fair election under the Independent Electoral Commission and Electoral Acts;

"(b) Observe the extent of freedom of organization, movement, assembly and expression during the electoral campaign and ascertain the adequacy of the measures taken to ensure that political parties and alliances enjoy those freedoms without hindrance or intimidation;

"(c) Monitor the compliance of the security forces with the requirements of the relevant laws and the decisions of the Transitional Executive Council;

"(d) Verify the satisfactory implementation of the dispositions of the Independent Media Commission and the Independent Broadcasting Authority Acts;

"(e) Verify that the voter education efforts of the electoral authorities and other interested parties are sufficient and will result in voters being adequately informed on both the meaning of the vote and its procedural aspects;

"(f) Verify that qualified voters are not denied the identification documents or temporary voter's cards that will allow them to exercise their right to vote;

"(g) Verify that voting occurs on election days in an environment free of intimidation and in conditions which ensure free access to voting stations and the secrecy of the vote; and verify that adequate measures have been taken to ensure proper transport and custody of ballots, security of the vote count and timely announcement of results;

"(h) Coordinate the activities of observers from international governmental organizations and foreign Governments so as to ensure that they are deployed in an effective and coordinated manner; establish effective cooperation with South African and foreign non-governmental organizations, which will also monitor the electoral process."

E. Observation and verification methodology adopted by the United Nations Observer Mission

55. Shortly after the expansion of its mandate, the Observer Mission developed plans for the observation and verification methodology. In relation to the observation called for in subparagraph 57 (a) of my report of the actions of the Independent Electoral Commission, a distinction was drawn between the central preparations by the IEC for the election, which would be monitored from the headquarters of the Mission, with extensive liaison with the IEC on issues of concern, and the IEC's field preparations, which would be monitored by field staff, in accordance with guidelines developed centrally. Monitoring of field preparations focused specifically on (a) establishment by the IEC of essential field structures; (b) choice of premises for voting stations; and (c) provision of staff and equipment for voting stations.

56. Observation of the extent of freedom of organization, movement, assembly and expression (subpara. 57 (b)) was undertaken by field staff of the Mission,

in accordance with precise guidelines that drew heavily on the extensive experience with such observation developed by UNOMSA prior to the expansion of its mandate.

57. Verification of the sufficiency and effectiveness of the voter education process (subpara. 57 (e)) was undertaken both centrally and by field staff of the Mission. Guidelines and documentation relating to the observation of voter education events were issued on 4 March 1994. Verification of the non-denial to voters of identity documents that would entitle them to vote (subpara. 57 (f)) was undertaken by field staff in accordance with guidelines developed centrally and issued on 2 March 1994. The verification called for in subparagraph 57 (g) of the report was undertaken as a coordinated operation involving all four international observer missions. For the purposes of the operation a manual and associated reporting forms were jointly developed by all four missions.

58. At all stages of the process, UNOMSA faced significant difficulties in that many of its tasks were directly dependent on the performance of the IEC. For example, the legal framework for the election continued to undergo changes until literally days before the commencement of polling: the critical amendments to the Electoral Act providing for the inclusion of the IFP on the ballot via the attachment of stickers to all ballots were made only five days before the polling commenced. There were also frequent procedural changes: the IEC issued 19 "Technical Updates" to its own staff between 13 and 25 April 1994. Finally, the Commission's tardiness in definitively identifying voting stations created major problems for UNOMSA in planning coordinated itineraries for observers.

F. Actions of the Independent Electoral Commission and its organs

59. UNOMSA was able, with the cooperation of the IEC, to observe closely its preparations for the election. In the field, UNOMSA maintained close liaison with local IEC representatives and many problems were solved directly at that level. Other problems were referred to IEC headquarters in Johannesburg. While a great deal was achieved by the IEC in a short space of time, shortcomings in IEC performance and looming problem areas were identified by UNOMSA shortly after the mission's mandate was expanded. The following specific issues were discussed early in March 1994 by the Coordinating Committee, comprising the heads of the four international observer missions, and were canvassed in discussions between UNOMSA and the Chairman of the IEC. At the beginning of March 1994:

(a) Only a minute fraction of the IEC field staff necessary for the conduct of the election had been appointed. This represented a major slippage of deadlines earlier spelt out by the IEC to the four international observer missions. Neither the District Electoral Officers nor the Presiding Officers had been appointed and when such provincial staff were appointed they were working out of offices that were scarcely functional;

(b) Major delays in the accurate identification of polling station sites were apparent. It was clear that this problem, related to the late deployment of field staff, had the potential to disrupt in a significant way much of the

other election planning, which depended on accurate knowledge of voting station locations;

(c) The IEC's ballot box requirement had increased threefold in the preceding three weeks, owing (i) to the requirement for a separate ballot box into which the provincial ballots were to be deposited; and (ii) to the requirement set out in regulation 34 (3) of the Electoral Regulations for a further ballot box in which disputed ballot papers were to be deposited. In early March, the IEC estimated its requirement for ballot boxes at 126,000, of which only 33,003 were on hand;

(d) It could be expected that the service provided to voters would be manifestly better in the low-density areas in which people had voted before than in the high-density townships where voters would be novices;

(e) The IEC had no plausible plan in place for securely consolidating, packing, warehousing and distributing critical electoral equipment and materials. Since the development of such a plan invariably requires detailed input from the field, elaborate marshalling of usually scarce resources (vehicles, drivers, aircraft, etc.) and significant lead times, the absence of a stable IEC field structure to undertake these tasks was seen at the time as a critical failing;

(f) UNOMSA noted that the sheer number of ballot boxes, ballot papers and other voting materials required meant that their secure movement and storage before, during and after the polling would be a massive logistical operation. As at early March 1994, no plausible plan for that operation was in place. On the one hand this reflected the late development of an overall security plan; but again the absence of field staff to fill in the details required for such a plan was critical;

(g) It was unclear what mechanism was proposed by the IEC for the compilation and announcement of the election results. Such a mechanism was one which had not been required in the same form at previous South African elections, which were constituency-based and had not required a timely tallying of national voting figures. The area is one which is notoriously fraught with complications; and it was, moreover, clear that the exercise would have to be undertaken at a time when the IEC would be under great pressure;

(h) Complex computer systems were being developed under a highly attenuated system development life-cycle, with few if any specifications being given to analyst programmers and with inadequate time for proper testing. Because of this, there was a relatively high probability that they would fail, under the public gaze, when put into operation.

60. The above major systemic issues continued to be a predominant concern to UNOMSA throughout preparations for the elections. Constructive representations made by UNOMSA on the issues were welcomed by the IEC. The Special Representative, in his meetings with the IEC Chairman, UNOMSA officers working at the technical level in daily contact with IEC officers, as well as field staff in meetings with their IEC counterparts expressed concerns of the Mission

up to the time of the election. Many more specific and technical issues were also raised informally with the IEC.

61. It was not possible for the IEC to solve all problems identified by UNOMSA for several reasons. IEC field staff were appointed too late in the process. Many of them were still not functioning on a sound basis at election time. Until just days before the election, voting station sites remained problematical in a number of areas, notably in KwaZulu/Natal, Eastern Cape, and parts of PWV. This contributed substantially to the many practical problems that arose during the polling. IEC plans for the timely and secure distribution of election materials remained manifestly inadequate in many areas of the country, with major consequences: proper accounting for and control of the movement of sensitive items such as ballot papers was lost in many areas. In addition, poor planning of the movement of ballot boxes to counting centres contributed substantially to delays in the conduct of the count. Finally, the IEC experienced difficulties with critical computer systems and was forced to replace the computerized tallying of voting figures with a more reliable manual system.

62. These systemic problems virtually guaranteed that a significant proportion of the electorate would experience some difficulty in voting. In view of this, the Special Representative and the heads of the other international observer missions convened a press conference on 25 April in which they urged South Africans to remain peaceful and patient if they encountered problems such as delays in the opening of voting stations (see para. 30 above).

V. ELECTORAL OBSERVATION

A. Voter education

63. Voter education was a key component in the organization of South Africa's first elections by universal suffrage. The elections presented a huge educational task. The vast majority of the electorate of nearly 20 million were first-time voters. The electoral procedures would also differ from those followed in previous elections and people would be voting for a new form of government. Voter education programmes aimed at reaching all potential voters but focused in particular on those previously disenfranchised. Programmes were needed to reach a target audience – of whom one half or more were illiterate or semi-literate – speaking a variety of languages. The majority were to be found in peri-urban and rural areas, many out of the reach of newspapers, television and, in some cases, radio. Special measures were therefore needed to reach beyond mainstream modes of communication.

64. UNOMSA was required to verify that the voter education efforts of the electoral authorities and other interested parties were sufficient and would result in voters being adequately informed about both the meaning of the vote and its procedural aspects. A Voter Education Section, established as part of the Electoral Division, was charged with making this assessment. UNOMSA observers reviewed the programmes of major implementing organizations and liaised with and reviewed the work of the national and provincial voter

education staff of the IEC. They also assessed the state of voter education in each province and monitored media initiatives nationwide.

65. Motivation amongst the electorate to vote was generally high, but new voters needed detailed information about the voting process in order to instil confidence and minimize the number of spoilt ballots. Convincing people of the secrecy of the ballot was particulary important. Many potential voters lacked the requisite voter eligibility documents and needed explanations about how to obtain them. It was essential, however, that the voter education campaign go beyond the technical aspects of the electoral process to address the issue of the nature and process of democracy and the role of elections.

1. Implementation of voter education campaigns

66. Among the groups carrying out voter education were church groups, trade unions, civic organizations, business groups and other non-governmental organizations, as well as commercial companies and political organizations. A significant proportion of voter education was funded by the international community. Recognizing the need for a coordinated and consolidated approach to voter education, the Independent Forum for Electoral Education, a coalition of 32 organizations, was formed in October 1993. Through its Commission on Voter Education and Training, the Forum facilitated coordination of its members' activities and sharing of materials.

2. Direct non-partisan voter education

67. Many organizations initially emphasized training voter educators. Thousands of people attended nationwide workshops held between mid-1992 and throughout 1993. Several organizations developed reading materials. Thousands of workshops were organized nationwide and attended by hundreds of thousands of people. Mobile units showing videos and distributing written materials in various languages visited places where gaps in coverage had been detected. Pamphlets, booklets and sample ballot papers were widely distributed at events, through door-to-door programmes, from information kiosks, at taxi ranks and stations and by many other means.

68. UNOMSA observers reported that over 90 per cent of the events they attended included clear and effective presentations covering the secrecy of the ballot, democratic principles and values, and election procedures.

3. The role of the Independent Electoral Commission

69. The Voter Education Directorate of the IEC was charged with carrying out the voter education mandate. The Directorate was to identify and fill existing gaps in coverage by using its own resources and those of the more than 100 organizations whose programmes it accredited.

70. The enormity of the task was such that, in addition to commissioning organizations, the IEC hired voter educators, many of whom had been previously

trained by non-governmental organizations. They worked in all provinces, with several thousand deployed in critical areas such as Bophuthatswana in the North-West Province and, in the final week of the electoral campaign, throughout KwaZulu/Natal. During March and April, several million leaflets, booklets and sample ballot papers and 5,000 videos on the voting process were distributed as part of an intensive information campaign. The IEC media campaign, which commenced in February, broadcast and published information that, inter alia, clarified its role, assured the electorate of the secrecy of the ballot, described eligibility documents and provided updates on electoral procedures. Several political parties included voter education as an integral part of their political campaign activities.

4. The media and voter education

71. Voter education on radio and television began in earnest in late 1993 following the formation of the Democracy Education Broadcast Initiative, with groups such as the Independent Forum for Electoral Education, the Institute for a Democratic Alternative for South Africa, the Business Election Fund and the Initiative itself producing an array of voter education programming aired for up to 41 hours per week. Radio programmes were transmitted on the South African Broadcasting Corporation's 21 radio services in different languages. Television programming included informational productions using drama, documentary, animation and puppets. Several political debates were also broadcast on television and radio. Newspaper campaigns addressed issues such as the secrecy of the ballot and identification documents, and also motivated people to vote.

5. Problems and constraints affecting voter education

72. Voter education was hampered by resource constraints, including personnel and equipment. Problems with transportation had a negative effect on the ability of groups to work extensively in remote rural areas. Delays in establishing the IEC Voter Education Directorate and in deploying provincial staff exacerbated time constraints. The voter educators' job was complicated by the several late revisions in electoral procedures, such as the decision in February to change from a single- to a double-ballot system. These procedural changes were also often not reported by the IEC to the relevant organizations in an efficient manner.

73. Access also posed a problem in several areas. Voter education for farm workers was limited as many organizations were unable to gain access to farms. Until the change of administration in Bophuthatswana in March, restrictions on election-related activity made the implementation of programmes in that area very difficult. A number of "voter education no-go areas" existed in KwaZulu/Natal where, on several occasions, voter educators were harassed. Several were killed.

74. The massive voter education campaign carried out in preparation for South Africa's first fully democratic elections, although concentrated in urban and peri-urban areas and often limited to explanations of the voting procedure, reached the majority of the electorate. Relatively few voters needed assistance

at the polls due to illiteracy. The high voter turnout, the low number of spoilt ballots (0.99 per cent) and the fact that in most areas most voters proceeded smoothly through the process indicated that most people had been adequately informed and motivated to vote.

B. Identity documents

75. Although a range of documents could be presented at voting stations as voter's eligibility documents, in practice the time lags involved in issuing such documents gave rise to the need for temporary voter's cards, which could be issued to applicants at the time at which their applications were made. Although the voting population requiring temporary voter's cards was variously estimated as between 2 and 4 million, no reliable figures were available.

76. UNOMSA's observation of the process of issuing temporary voter's cards during the weeks preceding the election indicated that the quality of performance of the card-issuing authorities was very uneven: while in some areas units were issuing cards at a rate of about one every 10 minutes, elsewhere the process took up to two hours. Very often inadequate measures were taken to publicize the existence or opening hours of temporary voter's card units, with the result that output was unacceptably low. In some areas, people already possessing valid voter's eligibility documents applied for temporary voter's cards as well, thereby preventing the process from properly serving those in genuine need.

77. Numerous allegations were made regarding irregularities in the issuing of temporary voter's cards. These encompassed such alleged practices as the issuing of cards to underage persons; confiscation of cards by chiefs and farmers; misuse of baptismal certificates as supporting documents for applications; contrived shortages of mobile card centres where they were most needed; refusal to issue cards to persons who had applied for substantive identity documents; contrived shortages of forms; lack of cameras and other necessary issuing equipment; bias in favour of one or another party (e.g. dispatch of mobile centres only to areas populated by party supporters, establishment of centres in political party offices); demands for payment by card-issuing officials; refusal to issue temporary voter's cards to South African citizens resident and working in neighbouring countries; and issuing of cards to immigrant workers from neighbouring countries. However, apart from the observed shortcomings in the publicizing of the operation in certain areas, the irregularities were as a rule not backed by official and duly substantiated complaints.

78. In a number of "no-go areas" card-issuing officials' lives were threatened or they were otherwise prevented by the local community from operating. This problem was tackled with some success by the IEC, through concentrated campaigns in the affected areas. Notwithstanding these problems, by the time of the election it was clear that in most parts of the country, major and substantially successful efforts had been made to ensure that voters were given a proper opportunity to obtain the documents they required. The political parties themselves were substantially satisfied with the progress made in this regard. In areas where problems remained until election time, last-minute difficulties

were addressed by operating card-issuing centres near the voting stations during the polling.

C. Conduct of the polling

79. On 26 April 1994, the day reserved for special voting, observers visited and reported upon a total of 2,960 special voting points. The most striking findings of their reports were that election materials were in short supply at 23.44 per cent of special voting stations, while voting procedures were correctly applied in 73.72 per cent of the stations visited. The pattern of inadequacy was uneven across the country: the province of Northern Transvaal was conspicuously the worst overall, with procedures observed to have been correctly applied at only 42.08 per cent of special voting points visited and sufficient electoral materials and supplies at only 56.71 per cent of the stations. There was also considerable variation within provinces: while, for example, performance overall was good in Western Cape and Eastern Cape, major problems were experienced with the delivery of election materials in the townships in the Cape Flats area of Western Cape, and throughout the former homelands of Transkei and Ciskei in Eastern Cape. The East Rand of PWV also proved to be a particular problem area, with severe shortages of materials at a large number of special voting points. In the course of the day, observers provided frequent oral reports regarding problems through the UNOMSA communications system, many of which were fed directly to the IEC's crisis centre for prompt remedial action.

80. Shortages were experienced in supplies of ballot boxes, ballot papers, ultraviolet lights and invisible ink. In response, the IEC attempted to redeploy materials, obtained additional ultraviolet lights from Lesotho, had additional invisible ink manufactured and printed additional ballot papers within the country. The printing and distribution of these additional ballot papers was poorly controlled by the IEC: in a number of areas of the country great uncertainty existed as to what materials had been supplied to specific voting stations, significantly complicating the process of accounting for electoral materials at the commencement of the count, as required by law.

81. Also on 26 April, United Nations observers monitored voting at 119 foreign voting stations in 57 countries. This was managed by the Electoral Assistance Unit in New York, with extensive assistance from the United Nations Development Programme (UNDP) offices and United Nations information centres. A similar methodology of observation was applied to that adopted within South Africa: an observation form was completed at each foreign voting station and sent to the Electoral Assistance Unit for compilation and analysis of statistics. Overall, no major problems were reported: 76 per cent of the observers viewed the electoral process at foreign voting stations as satisfactory, while the rest determined that the process had been satisfactory with minor problems.

82. On 27 and 28 April, observers in South Africa visited 7,430 of the 8,478 voting stations. Late fluctuations in the proposed numbers of voting stations in various parts of the country made it impossible to achieve 100 per cent coverage. The pattern of performance observed was broadly similar to that of 26 April. Some improvement in the correct implementation of

procedures was noted, with 81.13 per cent of voting stations observed to be applying procedures correctly. Problems continued with the supply of materials, however: only 75.71 per cent of voting stations observed had a sufficient supply of materials. UNOMSA continued to convey to the IEC details of specific problems observed in the field.

83. As a result of the major problems encountered with the polling, on the evening of 27 April, a decision was taken to declare 28 April a public holiday. On the evening of 28 April, polling was extended to 29 April in Transkei, Ciskei, Venda, Lebowa, Gazankulu and KwaZulu. A total of 47 observer teams were deployed to observe the extended polling in Transkei and Ciskei; 65 teams were deployed in KwaZulu/Natal; and 68 teams were deployed in Lebowa, Gazankulu and Venda.

84. The problems were manifestations of systemic problems that the international observer missions had raised with the IEC in the months preceding the election. The patience and forbearance shown by the voters themselves prevented these problems from carrying more serious consequences for the overall legitimacy of the electoral process.

85. After the end of the voting, on 30 April, my Special Representative in South Africa and the heads of the observer missions of the Commonwealth, EU and OAU issued a statement in which they stated that:

> "With the end of voting in these historic national and provincial elections in South Africa, in which all South Africans could vote for the first time, we the heads of Mission of the United Nations, Organization of African Unity, Commonwealth, and European Union election observer groups have jointly agreed on an interim assessment of the process up until the end of voting and before counting is completed. Our assessment is based on the work of more than 2,500 election observers deployed throughout the country, under the coordination of the United Nations.
>
> "We have benefited from the work of colleagues representing our organizations who have been in South Africa since late 1992, supporting the peace structures and observing the transitional process. They were concerned in particular with the central problems of violence and intimidation.
>
> "While the time-frame for these elections was determined in the multi-party negotiation process almost one year ago, the Independent Electoral Commission (IEC) was set up only in December 1993. From the outset it was faced with the extraordinarily difficult task of mounting elections in four months, a task which normally would have demanded much more time. The Commission was required to cater for the entire voting population, including the former homelands, and for South Africans overseas.
>
> "The people of South Africa clearly demonstrated their commitment to the end of apartheid and the transformation to non-racial democracy by turning out in enormous numbers to vote: most for the first time in their lives. They did so with obvious patience and enthusiasm - and not a little stoicism.

"Queues formed from the early hours of the first day of voting and at many stations were several kilometres long even before voting began. People evidently felt confident about the arrangements for voting and in particular the secrecy of the ballot. We are satisfied that the people of South Africa were able to participate freely in the voting.

"The escalation of violence was widely predicted and feared and did not happen. In a remarkable departure from recent trends there was a dramatic reduction in the scope and intensity of violence during the polling. A spate of bombs which led to the brutal and senseless killing of 21 people and injuring of hundreds in the days leading up to and even during the poll failed to intimidate and deter the voters. The voting days themselves were virtually free of any significant evidence of intimidation.

"It is not surprising, given the short lead time to organize the elections and the constant changes typified by the last-minute political decision to place an additional party on the ballot papers, that major administrative and logistical problems were experienced. These included: difficulties in the provision of identity documents, including temporary voter's cards; the late recruitment of polling staff; the delayed and constantly changing decisions on the siting of polling stations; shortcomings in the supply, control and delivery of voting materials; and uncertainties, even during the voting days, concerning administrative regulations.

"The IEC remained firmly committed throughout to ensuring that every eligible South African who wished to vote could do so. In that endeavour, we maintained a fruitful and open dialogue with the Chairman of the IEC and his fellow Commissioners, who were always responsive to our suggestions.

"Constructive intervention of the IEC's own monitoring mechanisms in many cases not only identified the problems but found solutions to them. We were impressed too with the efficiency, dedication and perseverance shown by the many thousands of well trained IEC voting officials.

"We also commend members of the army and the police for their professional approach to the particular demands placed on them, including assistance at critical times with the transport of election materials. We also take this opportunity to express our gratitude to them for the constant cooperation they gave us. We commend the many thousands of peace monitors who contributed to the achievement of a peaceful election.

"What we have observed, over the four days of voting from 26 to 29 April 1994, has been a great achievement for South Africa: a people who have, in the past, been systematically separated came together in a historic national expression of their determination to create a peaceful, non-racial and democratic South Africa."

D. Conduct of the counting

86. The systemic problems identified and conveyed to the IEC well before the election were again manifest in the counting. Staff had been recruited late and many had not been properly trained. Inadequate planning for the arrival of ballot boxes and other materials at counting centres caused much confusion and delay. In many cases reconciliation of ballot papers found in ballot boxes to ballot papers provided to voting stations proved difficult or impossible, because records of materials issued were inadequate.

87. The extent to which UNOMSA was able to monitor the actual conduct of the count was limited by the need, for budgetary reasons, to withdraw most international electoral observers before the end of the count. This problem was compounded by the IEC's decision to postpone the start of the counting by one day, from 29 to 30 April, owing to the extension of voting in some areas; and by the fact that the count took much longer than the IEC had anticipated. It was not until Thursday 5 May that the IEC was able to announce the final election results. In addition, the IEC's decision to conduct round-the-clock counting at some 700 separate "counting streams" meant that it was impossible for UNOMSA to cover the counting process fully. My Special Representative therefore decided, on the recommendation of the Joint Operations Unit, that counting at a sample number of stations should be observed.

88. Reports were received on the conduct of the process at a total of 458 counting stations. In general, these reports again revealed problems that were a manifestation of broader systemic failings within the IEC. Observers' reports indicated that only 84.06 per cent of counting stations had sufficient staff and facilities to ensure uninterrupted counting. At only 78.82 per cent of counting stations were the prescribed procedures for the delivery of materials adhered to. At only 74.45 per cent of counting stations were the official ballot paper reconciliation procedures adhered to; in fact this reflected, at least in part, a decision, announced by the Chairman of the IEC after the start of the count, that the reconciliation procedures had proved too onerous and were to be modified. In only 81.66 per cent of counting stations were the official counting procedures observed to have been strictly adhered to.

89. In certain parts of the country allegations of fraudulent interference with ballot materials emerged during the counting. It was not possible for UNOMSA to make an independent judgement on these allegations.

E. Observation of the media

90. Among the tasks of the Public Information and Media Analysis Section of UNOMSA was that of verifying the satisfactory implementation of and compliance with the Independent Media Commission and Independent Broadcasting Authority Acts. The Section observed the work of the Independent Media Commission (IMC) and Independent Broadcasting Authority (IBA) established under those acts.

1. Independent Media Commission

91. The IMC was established on 22 January 1994 to ensure equitable treatment of all political parties by broadcasting services; and to ensure that State-financed publications and State information services were not used to advance the interests of any political party. With respect to broadcasting, the IMC issued editorial guidelines for broadcasters that set standards for equitable treatment. The IMC also granted political parties free air time for party election broadcasts on public service radio stations, according to a formula calculated to ensure equitable treatment.

92. The South African Communications Services monitored the media on behalf of the Commission's Broadcasting Directorate, measuring the length of broadcasts allocated to political parties by various broadcast services. The Media Monitoring Project, an independent monitoring service, also provided qualitative daily monitoring reports to the Broadcasting Directorate. The Directorate used the data provided to evaluate the media's treatment of political parties and also attempted to resolve disputes between parties and broadcasters prior to the submission of formal complaints to the IMC. Most of the 27 formal and informal complaints received were resolved in this manner. However, four complaints, one from the ANC, one from the African Christian Democratic Party (ACDP) and two from the Federal Party, were submitted to the Commission.

93. Under the terms of section 23 of the Independent Media Commission Act, the IMC received a written complaint from the ANC against the South African Broadcasting Corporation concerning its news coverage of an IFP march in Johannesburg on 28 March. According to the complaint, the Corporation's radio and television broadcasts continually referred to marchers as "Zulus". The use of this term to describe supporters of the IFP, according to the ANC, was not only inaccurate but also carried the potential to increase ethnic tension. One of the Federal Party's complaints concerned the inequitable television coverage of its leader during the voting period compared with those of other smaller parties. The two complaints brought by the Federal Party were heard and adjudicated, while the ANC and ACDP complaints were withdrawn. Based on the principle of equitable access and the monitoring of the content of news and current affairs coverage, the IMC found that from the start of the election period to the start of voting the treatment of contesting parties had been broadly equitable on radio stations and television.

94. With regard to the monitoring of State publications and State information services, the IMC convened a meeting of heads of departments of all State information services. It was decided to review especially those publications which could be regarded as sensitive during the election period. The Directorate received a total of 534 publications, defined by the Act as newspapers, books, periodicals, pamphlets, posters or any other printed material, or any other object recorded for reproduction. In addition, 498 press releases published by ministries, State departments, provincial administrations, political parties, homelands and self-governing territories were received. In the case of the KwaNdebele magazine In Progress, the Commission found that section 22 (5) of the Act had been contravened in that the KwaNdebele authority had used the publication to promote support for the ANC. There were a few

contraventions of the IMC Act but no single action could be deemed to have had a significant impact on the outcome of the elections.

95. It should be noted that, in the implementation of its mandate, the IMC encountered considerable obstacles. It functioned without a chairman for several weeks; it was required to act as both policeman and judge: it was required to put in place an administrative, legal and monitoring infrastructure in a very short time and it faced many logistical problems, including a mid-stream move to new premises. Despite these problems, the Commission was successful, not only in largely achieving its objectives, but also in establishing a model for future action.

2. Independent Broadcasting Authority

96. The IBA was established on 28 March 1994 to regulate broadcasting services in the public interest. According to its enabling legislation, it should function wholly independently of State, government and party political influences and free from political or other bias or interference. Among the functions of the IBA's eight counsellors were control of the broadcasting frequency spectrum; the issuance of broadcasting signal distribution licences and broadcasting licences; development of a code of conduct for broadcasting services; as well as the monitoring and adjudication of complaints. Since its inception the IBA dealt with the question of interim broadcast licences.

3. Print media

97. Monitoring the commercial media did not fall under the mandate of the IMC. However, the Public Information and Media Analysis Section itself, with the assistance of UNOMSA observers in the provincial offices, monitored major national, regional and local daily press and selected periodicals in Afrikaans, English, Xhosa and Zulu. Political debate received broad coverage. Both large and small newspapers contributed towards voter education. It is safe to conclude that the print media contributed positively to creating an atmosphere conducive to free and fair elections. It is worth noting a public opinion survey conducted by the Independent Forum for Electoral Education, which indicated that some 75 per cent of respondents depended on the print and broadcast media for voter education.

98. UNOMSA was of the view that media coverage of the electoral process was balanced and did not disadvantage any one political party.

F. Observing electoral adjudication

1. Mandate and suitability of procedures

99. The Adjudication Section of UNOMSA was charged with observing how complaints relating to the violation of the Electoral Act were dealt with by the IEC. Investigation, legality, fairness and dispatch were the criteria for judging the process. IEC adjudication procedures were somewhat too rigid for

election purposes. For example, the fact that serious cases contemplated in section 70, such as de-registration of political parties and candidates, could only be referred for a decision to the Commission upon a recommendation by an Appeal Tribunal, would have made it difficult to respond promptly had the need arisen to de-register a political party in terms of section 69 (2) (b) (i), or a candidate under section 69 (2) (c) (ii).

2. Number and nature of cases reported

100. Out of a total of 3,558 registered complaints, the IEC reported 1,013 as complaints of alleged intimidation; 177 as cases of violence against people; 147 as cases of violence against property; 322 as cases of obstruction or interference with canvassing; 267 as cases of destruction of posters; 106 as cases relating to chapter X matters (undue influence, bribery, impersonation, interference with election materials, interference with canvassing, failure to comply with the law, etc.); 540 as cases of various voting infringements; 143 as cases of illegal identity cards; 206 as cases of illegal temporary voter's cards; 298 as cases relating to the violation of the Electoral Code of Conduct; and 115 relating to voter education. The balance of 688 were other, undefined types of violations.

101. The largest number of complaints was registered in KwaZulu/Natal with 741, followed by Western Cape with 475 and PWV with 409. Northern Cape had the lowest number at 44. On the basis of the cases received by UNOMSA, intimidation constituted the single largest group of violations, accounting for 335 (32.6 per cent) out of 1,027 cases reported. A number of complaints were made against employers, including farmers, regarding access to premises and voters.

102. The objective of investigations, mediation and adjudication was to prevent or minimize the level of conflict and violence during the election campaign. Of the 3,558 cases recorded by the IEC, 278 complaints were sent for mediation. No explanation was provided on how mediation was done (i.e. on what principles and under what circumstances it was accomplished). Fifty-two cases were sent for adjudication.

103. An election is an activity of intense, often highly emotional competition and should be conducted on the basis of very strict rules. Every aspect should be legally defined and controlled to maximize freedom of competition. Although legal requirements in the South African election were not always strictly met, it is the view of UNOMSA observers that the adjudication process worked reasonably well.

G. Joint final statement by the heads of the international observer missions

104. On 5 May, the IEC, after careful consideration of numerous issues raised by various parties relating to alleged or actual irregularities in the polling and counting and in pursuance of its statutory duty, pronounced the elections for the National Assembly and for each of the provincial legislatures to have been substantially free and fair. The following day, the Special Representative of

the Secretary-General in South Africa and the Heads of the observer missions of the Commonwealth, EU and OAU issued the following statement:

"Judge Johann Kriegler, the Chairman of the Independent Electoral Commission, has just announced the results of South Africa's first democratic elections and has pronounced them substantially free and fair.

"On 30 April, the international observer missions noted in an interim statement that despite administrative and logistical problems in some areas, South Africans turned out in enormous numbers to vote. Their confidence in the secrecy of the ballot was manifest and they were able to participate freely in the elections.

"The counting process has also been characterized by logistical and administrative problems which have again revealed serious inadequacies in the control and accounting of sensitive election materials. For instance, it became evident that, given the size of some counting centres, it would prove extremely difficult - if not impossible - to carry out the prescribed reconciliation within the time allowed, and this led the IEC to modify the procedures. On the positive side, the great strength of this process - conducted in the presence of party agents, IEC monitors and electoral observers from South Africa and the international community - has been its transparency.

"As the count proceeded, evidence of irregularities also emerged which gave rise to formal complaints by various parties. In addition, the IEC's own investigations have produced prima facie evidence of malfeasance which exacerbated problems in the supply of voting materials experienced during the election. This evidence is now under investigation by the IEC and the South African Police. We urge the IEC to proceed diligently with the mediation and adjudication of outstanding disputes, and that any criminal investigations be pursued.

"The resolution of these cases is critical to the credibility of the IEC and will hold important lessons for future South African elections. Successful resolution of these outstanding matters will also further the cause of national reconciliation by allowing political parties and the South African people to turn their attention to the tasks ahead.

"The international observer missions welcome the spirit of reconciliation that animated the remarks made by President de Klerk and President-elect Mandela on 2 May. The tolerance and patience demonstrated by South Africans during the voting period, the dramatic drop in the level of political violence, and the expressed commitment of the political parties to national reconciliation augur well for the new South Africa.

"The international community has lent its support to the struggle for democracy in South Africa. But South Africans themselves have managed the entire transitional process - from the start of negotiations through the organization and conduct of the elections. In this, South Africa is unique. Despite the problems encountered, the strenuous efforts of the IEC, combined with the patience and determination of the South African

people, have borne fruit. While taking into account the difficulties noted in this and our earlier statement, the international observer missions share the collective view that the outcome of the elections reflects the will of the people of South Africa."

105. On the same day at United Nations Headquarters I issued a statement that read as follows:

"Judge Johann Kriegler, Chairman of the Independent Electoral Commission in South Africa, has proclaimed the results of the elections and has declared them to have been, substantially 'free and fair'.

"The Secretary-General welcomes this declaration and once again expresses his warm congratulations to the people of South Africa and all their leaders.

"The Secretary-General also congratulates very warmly the Chairman and members of the IEC for the remarkable work they have done. Thanks to their dedication and courage, they have made it possible for the South African people to express peacefully and freely their collective aspiration for a better future and their determination to ensure a life of dignity, equality and freedom for every man and woman in their country.

"The United Nations has been involved with the situation in South Africa for more than four decades. It has spearheaded the international campaign against apartheid and initiated and supported programmes aimed at alleviating the suffering of its victims. It has also provided a forum for the representatives of South African organizations such as the ANC to advance the anti-apartheid campaign.

"Since September 1992, in particular, the United Nations has been represented in South Africa by an Observer Mission with the express mandate of contributing to a peaceful transition from apartheid to a new, democratic, non-racial and united South Africa.

"This was the largest electoral observation mission mounted by the United Nations. No fewer than 2,120 men and women took part, including staff members from the United Nations and specialized agencies and recruits from some 120 Member States. To all of them, the Secretary-General wishes to express his appreciation for the work they have accomplished. They served the United Nations well. They also served the people of South Africa at a critical moment of their history; and they served the cause of democracy.

"The United Nations will remain committed to South Africa. The Secretary-General looks forward to the contribution the Government and the people of South Africa will make to the activities of the United Nations."

VI. COORDINATION WITH OTHER INTERNATIONAL OBSERVER MISSIONS

A. Coordinating Committee

106. In carrying out its initial mandate, UNOMSA worked closely with the observer missions of the Commonwealth, EU and OAU. At regular joint meetings, both at UNOMSA headquarters and in the field, members of the four missions exchanged information on current developments throughout the country, planned joint deployments for major events and coordinated their activities to ensure maximum coverage of developments throughout the country. Regular consultation among the missions also resulted in common positions and action-oriented decisions regarding particularly important developments or issues. Decisions were made regarding approaches to individuals or groups in order to express the international community's concerns, or to outline possible options for dealing with problems. Representatives of the international observer missions met regularly, for example, with the Executive of the National Peace Secretariat, the Commissioner of Police and the Minister of Law and Order with a view to evaluating such matters as police-community relations, unnecessary use of force by security personnel, as well as improvement in police recruitment procedures and training. The international observer missions, working together, became an important conduit for information from the grass-roots level to reach decision makers in government, political parties and the security forces regarding situations that might exacerbate tensions or lead to violence.

107. South Africa's Multi-party Negotiating Council on 6 December 1993 adopted a resolution, later ratified by the TEC, calling upon the United Nations to coordinate activities of international observers provided by the Commonwealth, EU and OAU, as well as those provided by any other intergovernmental organization or Government. It also requested that the United Nations put in place the necessary arrangements to that effect, in particular ensuring that the international observers were deployed in an effective and coordinated manner in close cooperation with the IEC. Against this background, and in accordance with my earlier report of 10 January 1994 (A/48/845-S/1994/16 and Add.1), a Coordinating Committee, consisting of the heads of the observer missions of the United Nations, Commonwealth, OAU and EU, was set up under the chairmanship of my Special Representative for South Africa, Mr. Lakhdar Brahimi.

108. The Coordinating Committee met at least once a week to consider reports from the Joint Operations Unit, consisting of representatives of the four observer missions, and the Technical Task Force, comprising representatives of the heads of the election units of the four observer missions, and also other issues raised by any committee member. The Technical Task Force also met regularly and interacted with IEC officials under the chairmanship of the Deputy Special Representative. The Joint Operations Unit, chaired by UNOMSA, prepared a training and deployment plan for the large number of international electoral observers to be deployed during the elections and developed data banks for systematically recording and maintaining information collected by observers.

109. The Coordinating Committee also met regularly with Judge Kriegler. At those meetings reports submitted by the missions' observer teams in all provinces were brought to the attention of the IEC. For his part, Judge Kriegler briefed the Committee on progress in the Commission's work in

preparing for the elections. The missions brought to his attention field reports of slippages and shortcomings in the election preparations at the local level, on which the Commission acted. Overall, cooperation between the Coordinating Committee and the IEC was constructive and mutually beneficial. The international observer missions provided the IEC with support and encouragement not only at the policy level, but also at the level of the Technical Task Force and the Joint Operations Unit. Officials of the electoral units of the four observer missions also met with IEC election officials to address problems as they arose.

110. With regard to reporting and public statements, while each international observer mission reported to its parent organization, UNOMSA coordinated the drafting and release of joint statements on various aspects of the transition process. One such statement, on 29 March 1994, deplored the violence that had occurred in central Johannesburg during a Zulu march in support of King Zwelethini. A joint statement by the international observer missions issued on the eve of the voting (25 April) condemned acts of violence that threatened the election and emphasized the paramount importance of peaceful conduct during the election. A statement issued after the voting (30 April) expressed the missions' satisfaction that South Africa's people were able to participate freely in the voting. On 6 May, after the announcement of the election results by the IEC the missions issued a statement expressing the collective view of international observers that, in spite of the difficulties encountered, the outcome of the elections reflected the will of the people of South Africa.

B. Technical Task Force

111. In paragraph 71 of my report of 10 January 1994 it was proposed that there should be established, under the Coordinating Committee, a Technical Task Force comprising the four Chief Electoral Officers of the four international observer missions, chaired by the Head of the Electoral Division of UNOMSA, with the function of overseeing the activities of the Joint Operations Unit. In practice, however, Technical Task Force meetings were chaired by the Deputy Special Representative or the Director of the UNOMSA Electoral Division, while the Division's Deputy Director served as Secretary.

112. The Technical Task Force held its first meeting on 27 January 1994 and met 11 times thereafter. IEC officials attended eight of these meetings on a standing invitation from the Coordinating Committee. At its first meeting, the Technical Task Force agreed that the Joint Operations Unit would operate as a full-time project team, rather than as a committee or periodic working group. At its 3 February meeting, the Technical Task Force approved a list of tasks to be performed by the Joint Operations Unit as the basis for the latter's work.

113. Once the Joint Operations Unit was established, technical issues were dealt with mostly at that level. The Technical Task Force examined only major resource issues. The Joint Operations Unit worked largely autonomously and the degree of supervision required of the Technical Task Force was minimal. This pattern became more pronounced as the election approached. The Technical Task Force also served as a forum for coordination of the responses of the

international observer missions to requests for technical assistance from the IEC. This function accounted for a significant proportion of the Technical Task Force's time.

C. The Joint Operations Unit

114. The Joint Operations Unit's role was concentrated in two main areas: coordination with the three other international observer missions and preparation for the arrival of the large number of international electoral observers for the elections.

115. The Unit, to which each observer mission assigned representatives, initially devoted its attention to building on the informal coordination arrangements already established by UNOMSA. In collaboration with the other international observer missions, the Unit developed common forms for observation of voting and counting stations, and prepared computer programs and organized data banks for systematically recording and maintaining data for use by all four missions. Regular Joint Operations Unit meetings were held to discuss issues of concern and to seek agreement on proposed actions.

116. The Unit was deeply involved in preparation of the deployment plan for the large number of international electoral observers needed to observe the elections. This required a substantial amount of preparatory work, particularly in the area of training, which included development of appropriate briefing and training materials and strategies. The Unit also cooperated with the UNOMSA Division of Administration in solving problems relating to transportation, communications, conference facilities and accommodation for some 1,485 newly arrived international electoral observers, along with their deployment to the provinces. The Joint Operations Unit also liaised with the IEC in order to compile information on each group of voting stations to be visited by observer teams during voting days, and produced a manual comprising background information and operational guidelines used by international electoral observers of all four international observer missions.

VII. COOPERATION WITH NON-GOVERNMENTAL ORGANIZATIONS

A. UNOMSA and non-governmental organizations

117. Under the terms of Security Council resolution 772 (1992), UNOMSA cooperated with a wide range of non-governmental organizations, especially in the areas of violence monitoring, peace promotion, human rights and civic education. From the start of the mission one UNOMSA observer was assigned to work as a non-governmental organization liaison officer. With the expanded mandate under Security Council resolution 894 (1994), UNOMSA's cooperation with institutions of civil society expanded to include those involved in observing the electoral process and voter education.

118. In my report of 10 January, I noted the crucial role that domestic and foreign non-governmental organizations were bound to play in the overall success of the observation process. Responding to a wish expressed by the TEC that all

international observers and other observers cooperate closely in the performance of their task to oversee the electoral process at all stages, I stated (paras. 75 and 76) that efforts would be made to establish a cooperative relationship with the foreign non-governmental organizations and working relationships with national non-governmental entities involved in various aspects of the elections such as civic education and the organization of domestic monitoring networks.

119. An NGO Liaison Office was established in the UNOMSA Electoral Division to implement this policy. UNOMSA observers were urged to expand upon existing contacts with non-governmental organizations, especially community-based organizations and those involved in peace-building and conflict-resolution, as well as those observing the electoral process. The NGO Liaison Office maintained contacts with relevant non-governmental organizations, both domestic and foreign, briefing them on the UNOMSA mandate and replying to requests for information. The Liaison Office represented UNOMSA, for example, at meetings of the National Electoral Observer Network, an organization formed in December 1993 to coordinate the efforts of both domestic and foreign non-governmental organizations involved in observing the elections, as well as at the meetings of the Panel of Religious Leaders on Electoral Justice and the Ecumenical Monitoring Programme in South Africa. The IEC, in turn, also consulted the Liaison Office with regard to foreign non-governmental organizations.

120. The international observer missions were invited to cooperate with representatives of churches, the business sector, trade unions, peace monitoring organizations and various domestic and foreign non-governmental organizations by appointing a representative to the Management Committee of the National Electoral Observer Network. Similar cooperation developed at provincial, sub-provincial and district levels with the structures of the Network and with other non-governmental organizations. In several areas, joint forums were established to exchange information, to devise common strategies for monitoring events and to discuss deployment plans for the election. In many instances, peace structures and non-governmental organizations provided orientation and access to local communities for international electoral observers. The latter, in return, supplied assistance and advice when requested.

B. Non-governmental organization observers

121. South African non-governmental organizations carried out the bulk of civic and voter education and shaped the concept of election monitoring by civil society. The IEC accredited a total of 30 domestic non-governmental organizations, of which the National Electoral Observer Network was the largest. These organizations deployed nearly 25,000 observers throughout the country for the election. In addition, 97 foreign non-governmental organizations provided more than 2,000 observers from all over the world. Among the most important institutions was the Association of Western European Parliamentarians, which deployed nearly 400 parliamentarians to observe the South African election. UNOMSA shared with them briefing and logistical information and maintained close contact with observers of the Association at central and provincial levels. In addition, many non-governmental organizations provided the IEC with qualified and trained personnel, particularly to its Monitoring Directorate. The Women's

National Coalition ensured a wider participation of women in the democratization process in South Africa. Non-governmental organizations involved in election observation were asked to sign a code of conduct and were provided with IEC identification cards and apparel that gave them access to voting stations.

122. The contribution of institutions of civil society during the election days went far beyond observing the election. Administrative and logistical shortcomings of the IEC led non-governmental organization observers to perform tasks beyond their original mandate. In many voting stations, they formed part of the team of officials and monitors. They were called on by the IEC to assist election officials ad hoc. At the IEC's request, the religious community provided some 1,200 people to assist with the counting of ballots, when it became clear that this phase of the election process was seriously hindered by a lack of qualified personnel. Many observers recruited as volunteers felt after the election that they had been unfairly treated and demanded to be paid, as were IEC officials and monitors.

123. The contribution of non-governmental organization observers was vital to the election even if, for lack of time, not all observers were properly trained and certain areas were not covered. The participation of non-governmental organizations helped complete the electoral process despite administrative and logistical difficulties. Non-governmental organization action also allowed South Africans to participate more broadly in the election, making it, in the words of IEC Chairman Judge Johann Kriegler a "people's election".

VIII. ADMINISTRATION

A. Resources: personnel

124. As indicated earlier in the present report, the expanded mandate of UNOMSA called for a sharp increase in the number of observers within a short time-frame, necessitating the establishment of a support system with little lead time. The Mission's electoral phase was relatively short. As a result, the administrative and logistical support required to carry out its mandate effectively constituted a massive undertaking, particularly in the periods immediately before and after the elections. Between the end of January 1994, when the General Assembly approved the budget of the expanded UNOMSA, and the end of April 1994, UNOMSA planned and executed the deployment of 1,985 international electoral observers. This represented a vast increase over the 100 observers in-country beginning in February 1994.

125. The deployment exercise reached its peak immediately before the elections with the arrival of most of the international electoral observers. UNOMSA's administrative components and the Joint Operations Unit processed incoming international electoral observers, transferred them to training centres and deployed them to their assigned locations. Immediately after the elections, the observers were repatriated. This entire exercise was accomplished within 12 days by a limited number of support staff. Factors outside UNOMSA's control required constant adjustment in the Mission's deployment plan, including problems encountered at United Nations Headquarters in finalizing numbers and lists of observers. Difficulties experienced by the IEC, which delayed

finalization of the list of voting stations right up to the voting days, as well as the extension of the voting and counting days, necessitated numerous last-minute changes in UNOMSA's deployment and logistical plans.

B. Communications

126. Installation of a UNOMSA radio communications system to cover the entire country was not possible, given the short time available and the size of the country. A VHF radio communications network was therefore established to cover those areas with a history of violence or where violence was expected. In order to work within the limits of an extremely cluttered VHF band, a commercial trunking radio system was used to cover the Durban and Johannesburg areas. To enhance radio communications in potentially violent areas, two light helicopters equipped with radio repeaters served as airborne repeaters in the event ground-based equipment failed. UNOMSA teams were equipped with telephones and fax facilities in most of the country, except in a few very remote areas. UNOMSA also provided communications facilities to the observer missions of the Commonwealth, EU and OAU, with these missions paying a proportionate share of installation and operating costs.

C. Aviation support and vehicles

127. The UNOMSA budget provided for chartered aircraft to deploy international electoral observers and for communications purposes. With few exceptions, however, provincial capitals could be reached by bus or commercial airlines. For most air travel within the mission area, regular commercial airlines were used.

128. During the elections, 11 light helicopters and one light fixed-wing aircraft were chartered. Two helicopters were used as airborne radio repeater stations, as described above; one in PWV and one in KwaZulu/Natal. In addition, one helicopter was stationed in each of the nine provinces to provide medical, casualty and emergency evacuation, and to permit provincial coordinators to travel quickly to problem areas if required. In Northern Cape, where the large distances to be covered exceeded the range of helicopters, a small fixed-wing aircraft was provided.

129. Redeployment of the international electoral observers back to Johannesburg was initially envisaged to be the reverse of deployment. The extension of the voting days, however, required last-minute changes and incorporated the use of chartered aircraft to ensure the timely out-processing and repatriation of observers. In addition, an AN26 aircraft, on loan from the United Nations Operation in Mozambique, was used in the repatriation exercise.

130. The UNOMSA surface transport fleet of 1,077 vehicles was hired from car rental agencies in the country. In the run-up to the elections, 300 vehicles were rented. This number was increased by an additional 777 vehicles for international electoral observers during the elections themselves. UNOMSA also hired 20 vehicles for use by OAU observers. In this instance, UNOMSA acted as centralized purchasing agent on behalf of the OAU observer mission.

D. Security issues

131. The safety and security of international observers was a concern expressed in Security Council resolution 894 (1994), which called upon all parties in South Africa to respect the safety and security of international observers and to facilitate the carrying out of their mandate. This request was brought to the attention of the relevant government departments and the political parties.

132. The security of UNOMSA staff was a key concern throughout the Mission. Staff were at risk of:

(a) Common criminal attack: there were a number of such incidents, the majority in Johannesburg;

(b) Accidental involvement in violence at demonstrations, rallies or in areas where rivalry between different factions sometimes developed into exchanges of gunfire and the like. The most serious incident of this kind was a grenade attack at a demonstration in Kimberley on 25 May 1993 in which a UNOMSA observer was among those injured;

(c) Deliberate attack: throughout the Mission there was a degree of threat from extremists objecting to the role of the United Nations in South Africa. Verbal abuse, carriage of weapons in a threatening manner and the alleged inclusion of international observer missions on a target list apparently sent by an extremist group to a newspaper were among the manifestations of this threat. However there were no deliberate physical attacks on any members of the international observer missions.

133. Close and constructive liaison was established at all levels with the South African Police and the South African Defence Force. Senior UNOMSA staff discussed security matters with officials at all levels of government and with representatives of political parties. Under UNOMSA's peace promotion mandate, observers were often able to use these links to defuse confrontation between the security forces and demonstrators. During the election the South African security forces made special provisions for the safety of international observers. For example, the SADF agreed to the use of communications facilities and barracks by United Nations observers in the event of an emergency.

134. Primary responsibility for the protection of observers rested with the Government of South Africa. UNOMSA recognized, however, that the security forces were unable to protect observers at all times. Measures to improve mission security included security awareness training for all observers and planning in accordance with guidelines in the United Nations Field Security Handbook. Prior to the elections, coordinators were designated at UNOMSA provincial and headquarters offices to liaise with the security forces, prepare security plans and advise observers. Most but not all these coordinators had experience in security matters. Frequent liaison with other international observer missions regarding security issues meant that a common approach was developed. The exchange of information was encouraged at all levels to ensure that observers were not placed at risk.

IX. CONCLUDING OBSERVATIONS

135. South Africa's first democratic elections were truly historic. There is no doubt that the elections provided a framework for the entire population to unite and endorse the ideal of the new, non-racial, democratic and united South Africa.

136. The United Nations, through UNOMSA, has reaped a wealth of experience. Its achievements, as well as its mistakes and shortcomings, will be recalled when similar missions are planned in the future. I have asked the various departments directly concerned to cooperate with senior UNOMSA staff in order to draw lessons from this experience.

137. In the course of the transitional process, a high level of cooperation was achieved between UNOMSA, the IEC and other South African institutions. This was highly beneficial to all parties. It contributed, in particular, to the early solution of a large number of problems faced by the IEC. The experience gained and the relations established can be built on in the future. Indeed, this experience as well as South African expertise are already in the process of being used elsewhere.

138. The close cooperation between UNOMSA and the observer missions of the Commonwealth, the European Union and the Organization of African Unity also benefited all concerned, including South African structures. The level of understanding and like-mindedness achieved found its ultimate expression in the two key joint statements made by all four missions: first to assess the manner in which the voting took place and, a few days later, to make the final assessment of the electoral process.

139. As an exercise in preventive diplomacy, drawing on the strengths of several international organizations to support indigenous efforts towards peace and national reconciliation, the international community's efforts in South Africa since 1992 offer a unique and positive demonstration of the benefits of such cooperation. I wish to record here the expression of my warmest congratulations to the Organization of African Unity, the Commonwealth and the European Union for the excellent work they have done in South Africa and my gratitude for the cooperation their missions gave UNOMSA at all levels. This was probably the closest form of cooperation achieved by our organizations so far. We should not be complacent, however: there is still ample room for improvement and I intend to invite the three organizations and, indeed, other concerned regional organizations, to work out together guidelines for future cooperation based on the success, as well as the mistakes, of our common experience in South Africa and elsewhere.

140. Another lesson worth learning from the South African experience is the concept of the National Peace Accord and the structures to which it gave birth: the National Peace Committee, the National Peace Secretariat and the Goldstone Commission. Even if many peace committees lost momentum at some stage, the high value of their contribution to the whole process cannot be overlooked. An added tribute is owed to them for the training provided within the peace structures to thousands of people who were thus able to come to the assistance of the IEC during the elections, either directly as its employees or indirectly as

volunteers. Of course, the South African experience cannot be automatically transposed elsewhere but there may be situations in the world today or in the future - particularly in Africa - to which South African experiences, initiatives and attitudes might be applicable.

141. The Independent Electoral Commission succeeded in delivering an election against colossal odds and deserves to be congratulated. The performance of South Africa's electoral machinery was not perfect, as the Commission itself was the first to admit. Fortunately, the perseverance and spirit of compromise that prevailed in the negotiations was sustained. The political parties demonstrated remarkable maturity and responsibility, thus helping to achieve an overall acceptable, credible result. This is one of the great lessons to be drawn from the whole South African process of change. Throughout the transitional process, South African political leaders have stayed the course, reaching deep into their own reserves of energy and imagination to overcome each stumbling block in their path. For this they deserve our admiration, congratulations and our continued support.

142. In conclusion, I would like to pay a warm tribute to my Special Representative for South Africa, Mr. Lakhdar Brahimi, for his selfless dedication and outstanding leadership of UNOMSA. I wish also to thank the Deputy Special Representative, Ms. Angela King, for her contribution to the success of the mission. Finally, I wish to thank all those who served or collaborated with UNOMSA, whose collective contribution ensured that the mandate entrusted to me by the Security Council regarding South Africa was fulfilled both in its letter and spirit.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1994/718
17 June 1994

ORIGINAL: ENGLISH

NOTE VERBALE DATED 15 JUNE 1994 FROM THE PERMANENT MISSION OF EGYPT TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of the Arab Republic of Egypt to the United Nations in New York presents its compliments to the Secretary-General of the United Nations and with reference to Security Council resolution 919 (1994) of 25 May 1994 relating to the termination of all measures against South Africa, has the honour to inform him that a presidential decree by the President of the Arab Republic of Egypt has been issued in accordance with that resolution, thus confirming full compliance by Egypt to its contents.

The Permanent Mission of Egypt would appreciate it if the contents of the present note verbale could be brought to the attention of the members of the Security Council, and if it could be distributed as a document of the Security Council.

94-25405 (E) 170694 190694

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1994/719
17 June 1994

ORIGINAL: ENGLISH

LETTER DATED 16 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to bring to your attention the following instance of violation by Iraq of the terms of the cease-fire between the two countries.

On 4 June 1994, between 0930 and 1000 hours, a number of anti-revolutionary elements crossed the border and penetrated 4 kilometres inside Iranian territory in Ilam Province and opened fire on the Iranian forces on Ein-Ghazal and south Halaleh road. As a result, two Iranians were martyred and four others, including one sergeant and three soldiers, were captured by these elements.

The Islamic Republic of Iran holds the Government of Iraq responsible for such an act of aggression and its consequences.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative

94-25411 (E) 170694

190694

UNITED
NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/48/951
S/1994/720
17 June 1994
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-eighth session
Agenda item 42
THE SITUATION IN BOSNIA
AND HERZEGOVINA

SECURITY COUNCIL
Forty-ninth year

Letter dated 14 June 1994 from the Chargé d'affaires a.i.
of the Permanent Mission of Egypt to the United Nations
addressed to the Secretary-General

I have the honour to transmit to you herewith a letter addressed to you by Mr. Amre Moussa, Minister for Foreign Affairs of Egypt, concerning the resolution on Bosnia and Herzegovina adopted by the Eleventh Ministerial Conference of the Movement of Non-Aligned Countries.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 42, and of the Security Council.

(Signed) Dawlat HASSAN
Chargé d'affaires a.i.

ANNEX

Letter dated 5 June 1994 from the Minister for Foreign Affairs of Egypt addressed to the Secretary-General

I should like to inform you that the Eleventh Ministerial Conference of the Movement of Non-Aligned Countries, held at Cairo from 31 May to 3 June 1994, accorded special attention to the deteriorating situation in Bosnia and Herzegovina and to the appropriate means for its resolution. In their meetings, the ministers were unanimous that it would be inadmissible to accept the situation in Bosnia and Herzegovina or to concede it as a fait accompli.

At the conclusion of their discussions, the ministers adopted the attached resolution by consensus. In the resolution, reference is made to the imperative of respect for the sovereignty and territorial integrity of the Republic of Bosnia and Herzegovina and to the need for a new mechanism to ensure a fair and balanced basis for negotiations. The resolution calls for the convening, under United Nations auspices, of an appropriately structured international conference on Bosnia and Herzegovina with the participation of the conflicting parties, the countries contributing troops to the United Nations Protection Force (UNPROFOR), representatives of the Movement of Non-Aligned Countries, the Contact Group of the Organization of the Islamic Conference, the European Union, the five permanent members of the Security Council and the Secretary-General of the United Nations.

The resolution identifies the goals of the proposed conference as the establishment of an immediate cease-fire and the cessation of all military activities under the supervision of UNPROFOR, the proclamation of all parts of Bosnia and Herzegovina as safe havens, the guarantee of its territorial integrity and political independence, a just settlement for all parties and the elaboration of a programme of action for the implementation of the settlement.

The Conference entrusted me with the task of informing you of the foregoing and requested me to solicit your views and proposals concerning the implementation of the resolution.

(Signed) Amre MOUSSA
Minister for Foreign Affairs

APPENDIX

Resolution concerning the situation in Bosnia and Herzegovina adopted at the Eleventh Ministerial Conference of the Movement of Non-Aligned Countries, held at Cairo from 31 May to 3 June 1994

[Original: Arabic and English]

The Eleventh Ministerial Conference of the Non-Aligned Movement,

Recalling its previous decisions, and the relevant resolutions of the General Assembly, and the Security Council, particularly General Assembly resolutions 46/242, 47/121 and 48/88,

Reaffirming the imperative of respect for sovereignty and territorial integrity of the Republic of Bosnia-Herzegovina,

Deeply concerned over the persistent grave situation prevailing in the Republic of Bosnia-Herzegovina,

Stressing solidarity with the Republic of Bosnia-Herzegovina in exercising its legitimate right of self-defence,

Noting various endeavours to find a negotiated settlement to the ongoing hostilities,

Aware of the need for a new mechanism to ensure a fair and balanced basis for negotiation to arrive at a just and lasting settlement, in line with the principles of the Charter, international law, and the relevant resolutions of the General Assembly and the Security Council,

Calls for the immediate convening, under the United Nations auspices, of an appropriately structured international conference on Bosnia-Herzegovina with the participation of the conflicting parties in Bosnia-Herzegovina, troop contributing countries to UNPROFOR, representatives of NAM, OIC Contact Group and the European Union, the Five Permanent Members of the Security Council and the Secretary-General of the United Nations,

Calls further on this conference to take appropriate measures to:

a. establish an immediate cease-fire and bring about cessation of all military activities under the supervision of UNPROFOR;

b. make all of Bosnia-Herzegovina a safe haven;

c. ensure the inviolability, territorial integrity, political independence and overall viability of Bosnia-Herzegovina;

d. just settlement for all parties;

e. develop a programme of action for the implementation of the settlement.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1994/721
17 June 1994
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 17 JUNE 1994 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF IRAQ TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of the violations of the cease-fire provisions and of the terms governing the area of separation between Iraq and Iran that were committed by the Iranian side during the period from 29 March to 31 May 1994.

29 March 1994

At 1700 hours, the United Arab Emirates tugboat Shayma' 2 was subjected to provocation by Iranian military patrol boats in navigation channel A of the Shatt al-Arab near Muhammarah, while heading for Basra.

31 March 1994

At 0700 hours, the Indian launch Nusrat was subjected to provocation by Iranian military patrol boats in navigation channel A of the Shatt al-Arab, while heading for Basra.

2 April 1994

At 1600 hours, a three-man Iranian patrol on board an Iranian boat, carrying light weapons (Kalashnikovs), fired at an Iraqi fishing-boat carrying two persons south of the Umm al-Rasas salient at the mouth of the Karun river at coordinates 050683 (1:100,000 map of Saybah). This caused the death of Iraqi fisherman Walid Hamzah Kasan. His body was thrown into the waters of the Shatt al-Arab and has so far not been discovered. The second fisherman, Safa' Khalil Ibrahim, was taken away, together with the boat. On 9 April 1994, the Iranian side returned the abducted Iraqi fisherman, Safa' Khalil Ibrahim, but the boat, the engine, the identity card belonging to the fisherman in question and an amount estimated at ID 900 (our letter dated 12 April 1994) were not returned.

5 April 1994

The tugboat Service XXI was subjected to provocation by Iranian military patrol boats at the entry to the Shatt al-Arab channel near the outer barrage, while heading for Basra.

13 April 1994

The vessel Shovelaer was subjected to provocation by Iranian military patrol boats at the entry to the Shatt al-Arab channel near the outer barrage, while heading for Basra.

13 April 1994

The tugboat Iman was subjected to provocation by Iranian military patrol boats at the end of the Shatt al-Arab navigation channel, when leaving Basra and heading for the sea.

14 April 1994

The vessel Power One was subjected to provocation by Iranian military patrol boats at the end of the Shatt al-Arab navigation channel, when leaving Basra and heading for the sea.

15 April 1994

Pilot cutter No. 806 belonging to the State Enterprise for Iraqi Ports was subjected to provocation by Iranian military patrol boats near the Ra's al-Bishah area of the Shatt al-Arab.

16 April 1994

The tugboat Sara was subjected to provocation by Iranian military patrol boats at the end of the Shatt al-Arab navigation channel, when leaving Basra and heading for the sea.

Iranian fishing-boats were spread out over the whole length of the Shatt al-Arab navigation channel from the entrance to Faw, impeding shipping traffic by crossing in front of vessels sailing in both directions.

21 April 1994

At 1840 hours, the United Arab Emirates tugboat Shayma' 2, while towing a barge on the Shatt al-Arab, was subjected to provocation by three armed Iranians. One of them boarded the tugboat and inspected it and the papers of the crew and the owning company. At 1910 hours, they left the tugboat. At 0600 hours on 22 April 1994, the tugboat was again subjected to provocation by four armed Iranians on board an Iranian military patrol boat, when the tugboat reached buoy No. 11 en route for Basra. Three of the Iranians boarded the tugboat, inspected it and then allowed it to proceed to Basra after seizing the captain's passport.

25 April 1994

The tanker Takin, having left Basra port and arrived at the Sayhan area on the Shatt al-Arab, was confronted by seven men armed with machine-guns on board two Iranian military boats. They seized the tanker and at gunpoint forced the pilot who had been steering it to return to Muhammarah port, after shutting down

all the tanker's communications on the grounds that there was a problem with the vessel's papers. They seized the crew's passports and all papers relating to the cargo and ordered the pilot to anchor opposite the Iranian Control Office at Muhammarah port. Four days later, the pilot, Yusuf Abd al-Majid Yusuf, was able to disembark by means of an Iraqi fishing-boat and to reach a vessel entering Abu Fulus port.

1 May 1994

At 0800 hours, a group of about six men from the Iranian side were seen repairing shelters at coordinates 514501 (1:100,000 map of Shaykh Faris) in front of the Fakkah guard post inside the area of separation.

1 May 1994

At 1000 hours, an Iranian military patrol boat with three soldiers on board, which was coming from the sea and heading for Abadan port, was seen raising the Iranian flag.

1 May 1994

At 1100 hours, a khaki-coloured helicopter was seen landing at the Iranian Ayn al-Ghazal guard post at coordinates 327198 (1:100,000 map of Mandali). It stayed for 3 minutes and then returned to the Iranian rear. At 1220 hours, the above-mentioned helicopter returned to the same guard post, stayed for 2 minutes, while two unarmed soldiers alighted from it and then returned to the Iranian rear.

1 May 1994

At 1500 hours, a khaki-coloured helicopter was seen coming from the Iranian rear. It hovered over the Bahram Abad guard post at coordinates 000164 (1:100,000 map of Zurbatiyah) in the area opposite the Iraqi Hasan al-Askari guard post. After a short interval, the helicopter returned to Mehran and continued hovering over the town until 1330 hours.

1 May 1994

At 1800 hours, the Iranian side established a new post at coordinates 451649 (1:100,000 map of Khanaqin) opposite the Iraqi Faruq guard post inside the area of separation and manned it with five persons armed with light weapons.

2 May 1994

At 0930 hours, a group of about 12 men from the Iranian side were seen erecting a 20-metre stretch of barbed wire and obstacles at coordinates 918752 (Kharnubiyah; 1:100,000 map of Saybah) inside the area of separation.

3 May 1994

At 0130 hours, the Iranian side launched a 140-man attack on the Iraqi forces at coordinates 003664 (Ujayridah district; 1:100,000 map of Qurnah),

which resulted in the death of Major Ahmad Abd al-Zuhrah and five other ranks and the wounding of six other members of the Iraqi forces.

3 May 1994

At 0900 hours, an Iranian military patrol boat with two soldiers on board was seen coming from Abadan port and heading for the sea.

3 May 1994

At 1230 hours, the Iraqi fuel-tanker An, while proceeding from Faw port to the Mina' al-Bakr area to supply the Sudanese vessel carrying foodstuffs for the Ministry of Trade, was subjected to provocation by Iranian armed men on board an Iranian military patrol boat at coordinates 780070 (1:100,000 map of Mina' al-Bakr). They boarded the fuel-tanker and disembarked at 1600 hours but did not permit it to leave until 5 May 1994 after the certificate of ownership of the fuel-tanker had been sent from Basra.

4 May 1994

At 0930 hours, a group of some 15 men from the Iranian side, wearing military uniforms, were seen erecting barbed wire and obstacles at coordinates 918749 (1:100,000 map of Saybah) inside the area of separation.

5 May 1994

At 0100 hours, a group of some 10 men from the Iranian side approached the Iraqi forces at coordinates 535435 (Bulis hill; 1:100,000 map of Mandali) from three directions over an area of 200 to 250 metres and opened fire on the Iraqi forces.

5 May 1994

At 1000 hours, a group of some 10 men from the Iranian side were seen erecting barbed wire and obstacles at coordinates 929749 (1:100,000 map of Saybah) inside the area of separation.

5 May 1994

At 1250 hours, the United Arab Emirates tugboat Gulf Wrestler was subjected to provocation by Iranian armed men on board Iranian military patrol boats while proceeding from Basra port to Muhammarah port. Its captain was asked to halt the tugboat and cast anchor, and a number of armed Iranians boarded. They interrogated and searched the crew, and, at 1230 hours, the tugboat continued on its seaward course. When it was about to pass the second bridge at 1905 hours, it was approached by an Iranian military patrol boat with a number of armed men on board. They boarded the tugboat and demanded that it should pass the second pipeline bridge and cast anchor opposite the Iranian control post. They then interrogated and searched its crew. At 0715 hours on the following day, 6 May 1994, the tugboat continued on its seaward course with the Iranian armed men on board, after the pilot had been lowered on to the vessel Bakr in the hope

of recovering his passport and papers, which had been taken from him upon entry into Bandar-e Emam port.

5 May 1994

The Iraqi tugboat Mithaq belonging to the General Enterprise for Iraqi Ports was subjected to provocation by five Iranian armed men on board an Iranian military patrol boat when arriving at Muhammarah on its way to Faw port for the purpose of towing a broken-down boat in Faw port. They boarded the tugboat and interrogated and searched its crew.

7 May 1994

At 0700 hours, an Iranian military patrol boat was seen coming from the sea in the direction of Abadan port with three soldiers on board.

7 May 1994

At 0730 hours, an Iranian military patrol boat was seen coming from the sea in the direction of Abadan port with three soldiers on board, one of them carrying a small pair of field-glasses.

8 May 1994

At 1400 hours, the Iraqi vessel Fida' was subjected to provocation by Iranian armed men on board Iranian military patrol boats off Muhammarah port on its way from Basra to Umm Qasr port. They boarded the vessel and fired into the air. After they left, the vessel continued on its course towards Umm Qasr. The vessel was carrying grain from Umm Qasr to Ma'qil port.

9 May 1994

At 0625 hours, the Iraqi vessel Fida' was subjected to provocation by a group of armed Iranians on board Iranian military patrol boats at coordinates 780070 (1:100,000 map of Dakr). They boarded the vessel, and, at 0825 hours, they disembarked and the vessel continued on its course in the direction of Umm Qasr.

9 May 1994

At 1512 hours, an Iranian military patrol boat made of fibreglass with three soldiers on board was seen coming from the sea in the direction of Abadan port.

10 May 1994

The Iranian side set up two observation posts, the first at coordinates 07561 and the second at coordinates 140605 (1:100,000 map of Saybah) inside the area of separation.

10 May 1994

A group of Iranian soldiers repaired the Iranian observation post at coordinates 175575 (1:100,000 map of Saybah) inside the area of separation.

11 May 1994

At 0850 hours, a white-coloured Iranian passenger aircraft took off from Abadan airport heading for the Iranian rear.

13 May 1994

At 1300 hours, the Iraqi vessel Fida' was subjected to provocation by a group of armed Iranians on board Iranian military patrol boats at the entry to the Shatt al-Arab channel, after it had returned from Umm Qasr port and was heading for Basra carrying grain. They boarded the vessel and interrogated and searched the crew. At 1045 hours on 14 May 1994, the armed Iranians left the vessel, which then continued on its course in the direction of Basra.

13 May 1994

At 1330 hours, a small Iranian military patrol boat was seen coming from Abadan port in the direction of the sea with three soldiers on board.

13 May 1994

At 1830 hours, a group of Iranian soldiers were seen completing the new observation post opposite the Wasiliyah area at coordinates 178578 (1:100,000 map of Saybah) inside the area of separation.

15 May 1994

At 1800 hours, the Iranian side reconstructed the abandoned observation post at coordinates 996737 (1:100,000 map of Saybah) inside the area of separation.

15 May 1994

The Iranian side established a new military point opposite the Ma'amir wharf at coordinates 332255 (1:100,000 map of Saybah) inside the area of separation and manned it with 10 armed soldiers.

15 May 1994

The Iranian side set up a communications aerial at coordinates 238505 (1:100,000 map of Saybah) inside the area of separation.

15 May 1994

The Iranian side established a new guard post at coordinates 238505 (map of Saybah) and manned it with seven soldiers armed with rifles.

18 May 1994

The Iranian side increased the manning of the guard posts on the Iranian bank of the Shatt al-Arab between coordinates 995725 and 130610 (1:100,000 map of Saybah) inside the area of separation to 10 men per post.

18 May 1994

The Iranian side positioned a tank on the south side of the Arayid river opposite Umm al-Rasas island in the Shatt al-Arab at coordinates 008723 (1:100,000 map of Saybah) inside the area of separation.

19 May 1994

At 0700 hours, the Iranian side positioned a force of 12 to 15 soldiers at the observation post on the site of the abandoned observation post at coordinates 837099 (1:100,000 map of Khazinah) in front of the Jallat guard post, at a distance of 500 metres from the international boundary line inside the area of separation.

19 May 1994

At 1000 hours, an Iranian Jeep was seen coming from the Iranian rear. It halted at the Qal'at Lam guard post, opposite the Iraqi Lajmah guard post at coordinates 689249 (1:100,000 map of Mandali). The Jeep carried a machine-gun with four soldiers, who set up the machine-gun at the guard post inside the area of separation. At 1015 hours the Jeep proceeded with the men to the Iranian Ayn al-Ghazal guard post, and, at 1025 hours, the Jeep withdrew with the men.

20 May 1994

At 1430 hours, the Iranian side at the post facing Bulis hill fired four 60-millimetre mortar shells from a distance of 350 metres in front of the hill at coordinates 550441 (1:100,000 map of Mandali) in no man's land. It also fired two mortar shells from a distance of 700 metres behind the above-mentioned hill.

21 May 1994

At 1330 hours, the Iranian side built a position of sandbags covered with corrugated iron and set up a PKC machine-gun at coordinates 912792 (Shalamcheh; 1:100,000 map of Tahiri), 3 metres from the above-mentioned position.

21 May 1994

At 2000 hours, a group of some 25 men from the Iranian side, in military uniform, dug a slit trench on the earth embankment and built a new observation post at coordinates 265375 (1:100,000 map of Saybah) opposite the Khawrah guard post inside the area of separation.

24 May 1994

At 0820 hours, Iranian military patrol boats intercepted the United Arab Emirates tugboat Jarankut, which was towing a Russian vessel that was one of those permitted to leave the Shatt al-Arab, at coordinates 780070 (1:100,000 map of Bakr), while the tugboat was leaving the Shatt al-Arab channel in the direction of the sea.

24 May 1994

At 1520 hours, three men from the Iranian side were seen repairing the positions at coordinates 503533 (1:100,000 map of Shaykh Faris) in front of the Fakkah guard post inside the area of separation.

24 May 1994

At 1530 hours, an Iranian military patrol boat was seen with a number of men on board, including three in military uniform, one holding a small walkie-talkie and one a small pair of field-glasses, moving from Abadan port in the direction of the sea.

25 May 1994

The Iranian side established a new post at coordinates 038708 (1:100,000 map of Saybah) inside the area of separation and manned it with four soldiers.

25 May 1994

At 1120 hours, an Iranian military patrol boat was seen with three soldiers on board coming from Abadan port in the direction of the sea.

31 May 1994

At 1000 hours, an Iranian military patrol boat was seen with three soldiers on board, one of them carrying field-glasses, coming from Abadan port in the direction of the sea.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Saeed H. HASAN
Chargé d'affaires a.i.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1994/722
19 June 1994

ORIGINAL: ENGLISH

NOTE VERBALE DATED 10 JUNE 1994 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF SLOVAKIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Deputy Permanent Representative and Chargé d'affaires a.i. of the Slovak Republic to the United Nations, with reference to the note of the Secretary-General concerning Security Council resolution 917 (1994) of 6 May 1994 (SCA/2/94 (9)), has the honour to inform the Secretary-General of the measures adopted by the respective authorities of the Slovak Republic aimed at compliance with the embargo against Haiti pursuant to the resolution.

The Government of the Slovak Republic, in cooperation with the Ministry of the Economy, the Ministry of Finance and the National Bank of the Slovak Republic, have banned all economic relations with Haiti.

Information on the sanctions against Haiti and the subsequent legal steps of the Government of the Slovak Republic has been provided to the Slovak Chamber of Commerce and Industry, to the Union of Entrepreneurs and to all subjects who carried out exports to Haiti over the past year.

The Ministry of the Interior has taken steps to ban the entry of subjects specified in paragraph 3 of resolution 917 (1994) into the territory of the Slovak Republic.

The Deputy Permanent Representative and Chargé d'affaires a.i. of the Slovak Republic to the United Nations would be grateful if the present note could be issued as a document of the Security Council.

94-25532 (E) 200694

200694

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1994/723
20 June 1994

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Reaffirming its resolutions 812 (1993) of 12 March 1993, 846 (1993) of 22 June 1993 and 891 (1993) of 20 December 1993,

Recalling its resolution 872 (1993) of 5 October 1993 establishing the United Nations Assistance Mission for Rwanda (UNAMIR), as well as its resolutions 893 (1994) of 6 January 1994, 909 (1994) of 5 April 1994, 912 (1994) of 21 April 1994, 918 (1994) of 17 May 1994 and 925 (1994) of 8 June 1994,

Having examined the Secretary-General's report (S/1994/715) on the United Nations Observer Mission for Uganda-Rwanda (UNOMUR) dated 16 June 1994,

Welcoming the extension, as of 14 May 1994, of UNOMUR's observation and monitoring activities to the entire Uganda/Rwanda border,

Stressing the need for the observance and strict monitoring of the general and complete embargo of all deliveries of weapons and military equipment to Rwanda, as described in paragraph 13 of its resolution 918 (1994),

Considering that the issue of arms flows is one of the major areas of concern in the cease-fire talks currently being held between the Rwandese parties under the auspices of UNAMIR,

1. Welcomes the Secretary-General's report (S/1994/715);

2. Decides to extend the mandate of UNOMUR for a final period of three months until 21 September 1994 and agrees that during this period the number of military observers should be reduced by phases;

3. Requests the Secretary-General to report to the Council on the termination of UNOMUR before the completion of its mandate;

4. Expresses appreciation to the Government of Uganda for the cooperation and support it has extended to UNOMUR;

5. Stresses the importance of continued cooperation between the Ugandan authorities and UNOMUR;

6. Decides to remain actively seized of the matter.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1994/724
20 June 1994

ORIGINAL: ENGLISH

LETTER DATED 20 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF ARMENIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward to you herewith the text, transmitted by facsimile, of a statement issued on 18 June 1994 by the Ministry of Foreign Affairs of the Republic of Armenia.

I should be grateful if you would circulate the statement as a document of the Security Council.

(Signed) Alexander ARZOUMANIAN
Permanent Representative

Annex

Statement issued on 18 June 1994 by the Ministry of Foreign Affairs of Armenia concerning the murder and kidnapping of Armenian border guards by Azerbaijan

At 5 a.m. on 18 June 1994, Azerbaijani armed units shelled the border areas of the Noyemberian region in the north-eastern part of the Republic of Armenia and then crossed the border into Armenia. Attacking a border post near the village of Barekamavan, the Azerbaijani army units murdered and mutilated the bodies of six border guards, injured one and kidnapped another.

The Government of Armenia views this unprovoked attack as a breach of the de facto cessation of military hostilities, reflecting the hardened Azerbaijani position and their unwillingness to negotiate seriously. Furthermore, it views the attack as a deliberate attempt to abort Mr. Jan Eliasson's mission, as the attack came at a time when the Chairman of the Minsk Group was in Armenia for negotiations.

The Government of Armenia expects an explanation and an official apology from the Azerbaijani Government, the immediate return of the hostage and compensation for the damages caused by the attack.

Unless the Azerbaijani Government meets those demands, the Government of the Republic of Armenia will seriously consider suspending all negotiations currently under way on the Nagorny Karabakh conflict and will hold Azerbaijan responsible for the consequences resulting from the breakup of the negotiations.

Valuing greatly the one-month-long de facto cessation of military hostilities around Nagorny Karabakh and hoping that this could become the basis for achieving a de jure cease-fire and the success of the negotiations on Nagorny Karabakh, Armenia will continue to exercise restraint and has ordered its military units not to react to the provocation. In the event of the repetition of any such incident, however, Armenia reserves the right to undertake appropriate operations in response.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1994/725
16 June 1994

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

I. INTRODUCTION

1. By its resolution 906 (1994) of 25 March 1994, the Security Council extended the mandate of the United Nations Observer Mission in Georgia (UNOMIG) for an additional period ending on 30 June 1994. In addition, the Council requested the Secretary-General to report to the Council on whatever progress was made in the negotiations as soon as it was achieved, and in any case no later than 21 June 1994, and on the situation on the ground, with special attention to circumstances which might warrant a peace-keeping force and on the modalities for such a force.

2. In the Agreement on a Cease-fire and Separation of Forces signed in Moscow on 14 May 1994 (S/1994/583, annex I), both parties to the conflict in Abkhazia, Georgia, agreed that a peace-keeping force of the Commonwealth of Independent States (CIS) would be deployed to monitor compliance with the Agreement and also envisaged the deployment of United Nations military observers. Seeking further clarifications on the Agreement, the Secretariat held a series of technical discussions with representatives of the ministries of Defence and Foreign Affairs of the Russian Federation between 23 and 26 May 1994. In my last report (S/1994/529/Add.1), I provided details of those discussions, which are continuing, and sought an early indication of the views of the members of the Security Council.

II. UNITED NATIONS OBSERVER MISSION IN GEORGIA

3. Pursuant to the letter of the President of the Security Council addressed to me on 16 June 1994 (S/1994/714), I am continuing my urgent consultations with the parties and with the Russian Federation regarding the future mandate and deployment of the expanded UNOMIG as well as the conditions and assurances of cooperation that would be needed for UNOMIG to discharge its mandate effectively. On the basis of these consultations I shall submit my detailed recommendations to the Council as soon as practicable.

III. REFUGEES AND DISPLACED PERSONS

4. Preparations for the voluntary return of refugees and displaced persons are continuing. The Quadripartite Commission, composed of representatives of the Georgian and Abkhaz sides, the Russian Federation and the United Nations High Commissioner for Refugees, as established by the quadripartite agreement signed in Moscow on 4 April 1994 (S/1994/397, annex II), has met regularly and adopted decisions on various matters such as the registration process, the rules and procedures of the Commission, the public information campaign as well as the assistance programme. Much of this work is conducted in working groups and in a constructive atmosphere.

5. The United Nations Department of Humanitarian Affairs issued an addendum to the United Nations Consolidated Inter-Agency Appeal for the Caucasus (Armenia, Azerbaijan and Georgia). It contains the revised programmes of the Office of the United Nations High Commissioner for Refugees (UNHCR), the World Food Programme (WFP) and the United Nations Development Programme (UNDP), which now include needs with regard to the returnee programme. The United Nations Department of Humanitarian Affairs convened a donors' meeting on 27 May 1994 at Geneva in support of this activity and other humanitarian activities in the Caucasus and Tajikistan.

6. Financial and in-kind contributions are urgently required to allow UNHCR to put in place the required infrastructure, to detail the necessary staff, to start the registration system and to procure relief and rehabilitation items. Without adequate resources the returnee programme cannot commence.

IV. EFFORTS TO ACHIEVE A POLITICAL SETTLEMENT

7. A further round of negotiations convened by my Special Envoy for Georgia with the objective of making progress towards a comprehensive settlement took place in Moscow from 10 to 12 May 1994. During that meeting, on 11 May, both parties to the conflict signed a Proposal for the Establishment of a Coordinating Commission (S/1994/583, annex II) to discuss practical matters of mutual interest. The next round of political negotiations is scheduled to take place at Geneva on 30 June and 1 July 1994.

8. The Coordinating Commission held its first meeting at Sochi, Russian Federation, on 1 June under the chairmanship of a representative of the Russian Federation. The subjects discussed were transportation, energy and communications. The second meeting will take place at Sochi on 22 and 23 June to further discuss the transportation infrastructure (railways and highways), hydroelectric power and engineering and communications problems.

9. My Special Envoy for Georgia informed the Committee of Senior Officials of the Conference on Security and Cooperation in Europe (CSCE), at its meeting held at Prague on 15 June, of his efforts to achieve a comprehensive political settlement in Abkhazia. He underlined the importance of close and continuous cooperation between the United Nations and CSCE.

10. In the circumstances, I recommend to the Security Council that the existing mandate of UNOMIG be extended at its current authorized strength, for a further period of one month, until 31 July 1994.

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1994/726
20 June 1994

ORIGINAL: ENGLISH

LETTER DATED 17 JUNE 1994 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to bring to your attention the following instances of violations by Iraq of the terms of the cease-fire between the two countries.

1. On 2 March 1994, between 0400 hours and 0500 hours, a group of Iraqis crossed the border and penetrated into Iranian territory at the geographic coordinates of ND717440 on the map of Ghalameh. They engaged in a clash with Iranian forces and then returned to Iraqi territory.

2. On 2 March 1994, at 0900 hours, eight Iraqi military personnel were seen training in offensive tactics at the geographic coordinates of NC589317 on the map of Kani-Sheikh, south-west of border pillars 40 and 40/A and the Iraqi sentry post of Al-Abbas.

3. On 3 March 1994, between 0715 and 1740 hours, 13 Iraqi light and heavy vehicles were seen passing through the geographic coordinates of PB333444 on the map of Koohe Toonel in no man's land, south of border pillars 26/5 and 26/6 and the geographic coordinates of QA285834 of the city of Anbar and border pillar 22/31 and west of border pillar 22/33.

4. On 3 March 1994, at 0900 hours, Iraqi forces fired at the Iranian forces at the geographic coordinates of NC6825 of Kani-Sheikh.

5. On 15 March 1994, Iraqi forces stationed on height 210 at Doraji at the geographic coordinates of PB106724 on the map of Mehran, in no man's land, south-west of Reza-Abad in the Islamic Republic of Iran and south of Zaloo-Ab mountain and border pillar 33, activated an observatory post by using a 20 x 120 telescope.

6. On 17 March 1994, at 1800 hours, three Toyota vehicles carrying Iraqi military personnel and a command Jeep left the post at the geographic coordinates of NC429527 of southern Naft-Shahr. They entered the Al-Masoud sentry post at the geographic coordinates of NC468546 on the map of Sumar and southern Naft-Shahr. They proceeded to install a communications antenna, which they disassembled at 0800 hours and returned to the original post.

7. On 17 March 1994, 13 Iraqi vehicles were seen passing through the geographic coordinates of QA285824 of the city of Anbar in no man's land, north-west of border pillar 22/31.

8. On 18 March 1994, five Iraqi light and heavy vehicles were seen passing through the vicinity of the geographic coordinates of QA348736 of the city of Anbar in no man's land, south-west of border pillar 22/22.

9. On 18 March 1994, 10 Iraqi light and heavy vehicles were seen passing through the area at the geographic coordinates of TQ16502870 on the map of Hosseinieh in no man's land, west of border pillar 8/2.

10. On 18 March 1994, three anti-revolutionary elements crossed the border and entered Iranian territory north of Koohe Assan Been and west of border pillar 99/3 at the Soorab Axis. They proceeded to barricade the road at the geographic coordinates of NE773659 on the map of Baneh and stopped cars belonging to Iranian residents of the border area.

11. On 19 March 1994, Iraqi soldiers in groups of two, three and four were seen at the geographic coordinates of QA348736 of the city of Anbar in no man's land, south-west of border pillar 22/22.

12. On 20 March 1994, Iraqi forces proceeded to station six tanks in the vicinity of the geographic coordinates of PB032674 on the map of Mehran in no man's land, west of the Iraqi village of Naffan and north of the border river of Gavi.

13. On 21 March 1994, anti-revolutionary elements crossing the border entered Iranian territory and planted a number of mines to the east of Mian Tang sentry post at the geographic coordinates of NC5880040200 on the map of Sumar, north of border pillar 40/5 and south of Makki spring. The mines were defused by Iranian forces later on.

14. On 21 March 1994, at 1000 hours, an Iraqi motor boat left the geographic coordinates of TP3459 on the map of Khorramshahr, south-east of Minoo island, after having carried out observation duties in those waters.

15. On 21 March 1994, at 1900 hours, six Iraqis armed with Kalashnikov rifles were seen leaving the Koomeh Sang sentry post at the geographic coordinates of NC556396 on the map of Sumar in no man's land, south-west of border pillar 41. They moved in the direction of the Gisskeh heights at the geographic coordinates of NC580390 of Sumar en route to the borderline west of border pillar 40/5.

16. On 23 March 1994, at 0330 hours, a number of unidentified elements at the geographic coordinates of TP226726 on the map of Khorramshahr south of border pillar 1 fired shots in the direction of the Iranian sentry post. Those elements were forced to retreat by Iranian personnel.

17. On 23 March 1994, at 2100 hours, Iranian forces engaged in battle with anti-revolutionary elements who had penetrated into Iranian territory at Nahr-e-Khein at the geographic coordinates of TP2[illegible]73 on the map of Khorramshahr,

north of border pillar 1/2. The battle lasted until 0120 hours on the following day. The perpetrators then returned to Iraqi territory.

18. On 24 March 1994, at 0630 hours, seven Iraqi military personnel from the Hemad Shahab sentry post at the geographic coordinates of QA0693 on the map of the Meimeh river in no man's land, south of border pillar 33/3, proceeded to reconstruct their defensive positions, and at 1430 hours on the same day, three others arrived to dig and reinforce canals.

19. On 24 March 1994, between 1100 and 1130 hours, four Iraqi officers inspected the Manzarrieh sentry post at the geographic coordinates of ND425055 on the map of Khosravi in no man's land, south-west of border pillar 53/2.

20. On 24 March 1994, at 1530 hours, 10 Iraqi military personnel were seen repairing trenches at the geographic coordinates of ND405054 on the map of Khosravi, north-west of border pillar 53/2.

21. On 24 March 1994, at 1230 hours, an Iraqi Khaki-coloured helicopter, imprinted with a clear insignia of the Iraqi flag, was seen flying at an altitude of 700 metres, at a distance of 100 metres from the borderline. The helicopter flew from the south-west to the north-west and entered no man's land opposite the border sentry post at the geographic coordinates of TP21007300 on the map of Khorramshahr, west of border pillar 1/2 and east of border pillar 1/3. The helicopter was seen reconnoitring for 20 minutes and then left the area for Iraq.

22. On 25 March 1994, 20 anti-revolutionary elements crossed the border and penetrated into Iranian territory. They entered the village of Goloobeh at the coordinates of NF4008 on the map of Sardasht, 13 kilometres east of border pillar 109/2, west of Toojal. These elements were pursued by Iranian border police and then retreated to Iraq.

23. On 28 March 1994, at 1015 hours, nine Iraqi motor boats, each carrying two passengers, approached the shore at the geographic coordinates of TP530308 on the map of Khosroabad and proceeded to fire shots at Iranian border guards. The boats then returned to the Iraqi shore.

24. On 28 March 1994, at 2245 hours, a number of anti-revolutionary elements fired shots at Iranian forces from the geographic coordinates of TP2172 on the map of Khorramshahr, south of border pillar 1/2.

25. On 30 March 1994, at 1200 hours, an Iraqi vehicle carrying five passengers was seen moving away from the geographic coordinates of NC668217 on the map of Kani-Sheikh in no man's land, west of border pillar 39/2. They left the area and returned to their point of origin after meeting with four tribesmen from the region.

It would be highly appreciated if this letter were circulated as a document of the Security Council.

(Signed) Kamal KHARRAZI
Ambassador
Permanent Representative